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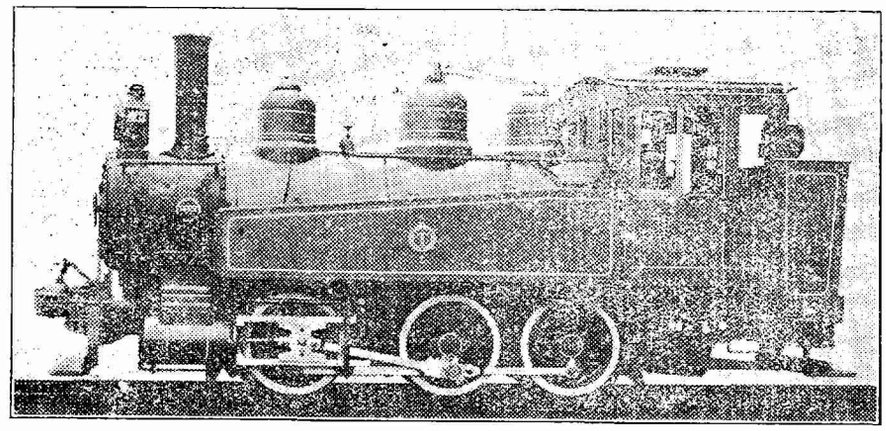

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in conflict with the *utilitarian theory* inasmuch as we deem law to be subject to such amendments as are required by the ever changing circumstances attending human relations in the course of progressive civilization. Only with the *theory of enforcement* is the conception of certain modern countries at some variance. Yet, to say the least, we could ill afford to be positive about the virtue of modern but unenforceable law. At any rate, the ancient theories of law in China are not wholly obsolete and, as one author has said, "the laws of China give the best idea of the character of the people and their advance in civilization." It might be said that in them also may be found some of the causes which have made it possible for the Chinese nation to survive the centuries of the World's history when we now only recall the "glory that was Greece and the grandeur that was Rome."—From *The China Review*, New York.

# Theory, History and Origin of U. S. Extraterritorial Rights in China

BY ROBERT T. BRYAN, JR.

(*This article is the second of a series by Mr. Bryan on the subject of extraterritoriality*)

**American Treaties With China:** The United States of America has signed five treaties with China. These treaties are the Treaty of 1844, the Treaty of 1858, the Emigration Treaties of 1880 and 1888 and the Commercial Treaty of 1903. A brief resume of the origin and history of these Treaties will be interesting to the reader.

**The Treaty of 1844:** The reasons which we have hereinbefore set forth caused the British to strenuously resist the jurisdiction of Chinese laws. This contumacy caused constant friction between the Chinese and British authorities which was the ultimate reason of the Opium War, the result of which was the signing of the treaty of 1842 at Nanking, granting to British subjects residing in China extraterritorial privileges. The signing of this treaty produced a great and lasting effect upon all civilized governments trading with China. The United States, being the principal country, with the exception of England, interested in the China trade, was solicitous that its merchants should be placed on an equal footing with British merchants. The policy of the American government, however, was different from that of England, in that it did not wish to force China to sign a treaty by war and bloodshed. The Chinese policy of the American government is clearly stated in a letter written by President Tyler to the Emperor of China, dated July 12, 1843, in which he stated: "Our minister is authorized to make a treaty to regulate trade. Let it be just. Let there be no unfair advantage an either side."

Mr. Caleb Cushing, hereinbefore mentioned, was appointed by the United States as Minister Plenipotentiary to China, and given an escort of a frigate and sloop of war, with which he arrived at Macao on February 24, 1844. Previous to his arrival Mr. Paul S. Forbes, United States Consul to China, had communicated to the Chinese authorities the nature and object of his mission. Mr. Cushing found on his arrival that the Chinese had made no preparation to aid or assist him in his mission, so on February 27, 1844, he informed the representative of the Chinese government that he was commissioned to negotiate a treaty with China and was also instructed "to proceed to the City of Peking, there to deliver a letter addressed to His Imperial Majesty by the President of the United States." [13] Mr. Cushing was informed by the Viceroy that before he could go to Peking Imperial sanction should be obtained, and that he must deliberate with the Chinese Commissioner at Canton.[14] Mr. Cushing replied that he felt himself bound to carry out his instructions and to continue his journey to the North, but offered to go by another route than that originally intended.[15]

A few days later the Frigate "Brandywine," constituting part of the escort of Mr. Cushing, went up the river to Whampao. The Viceroy protested against this action, to which Mr. Cushing replied that International Law did not require a ship on such a mission to remain outside the river. [16] Ten days afterwards the Viceroy replied maintaining his

12, Davis' China, Vol. I, page 54.

13. Mr. Cushing to Viceroy Chen, February 27, 1844, Moore's International Law Digest, Vol II, page 418.

14. Viceroy Chen to Mr. Cushing, March 19, 1844.

15. Mr. Cushing to Viceroy Chen, March 25, 1884.

16. Mr. Cushing to Viceroy Chen, April 22, 1844.

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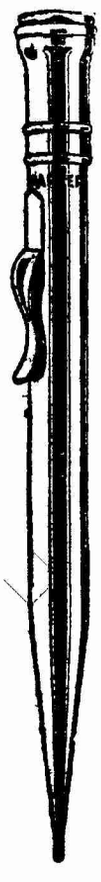

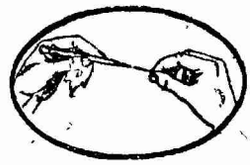

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protest against the entrance of the "Brandywine" into the River, and informing Mr. Cushing that Kiying, who had been appointed to negotiate a treaty with the United States, would arrive in Canton in about a month, and that he himself had no authority to discuss the matter. [17] Mr. Cushing replied stating that he would await the arrival of Kiying, and at the same time protested against the unfortunate incidents of the past few months. [18]

Kiying arrived in Canton on the 30th of May, and Mr. Cushing delivered President Tyler's letter to him for transmission to the Emperor. On June 17th Kiying moved down to Wanghia, a village near the boundary of Macao, and after exchange of ceremonial visits. Kiying courteously paying the first call on Mr. Cushing at his residence at Macao, negotiations for the treaty were begun on June 21, 1844. Shortly before the negotiations for the treaty commenced an unfortunate incident occurred, which for a time threatened to break up the negotiations. The "Brandywine" had brought to Canton a flagstaff for the American Compound, which had been brought ashore and erected. The Chinese objected to the arrow serving as a vane, and as their objection claimed that it caused sickness. This objection was stated to the Consul, and the arrow was thereupon immediately removed. Notwithstanding this, however, a mob broke into the Compound, on May 6, 1844, and assumed a belligerent and menacing attitude. On June 15 some English men walking in the English garden were assaulted and driven into the water; the next day some Americans were walking in the American Compound where they were assulted by a mob of desperadoes, and were compelled to resort to firearms to protect themselves. During the course of the affray a Chinese named Hsu Aman was killed. Mr. Cushing appealed to Kiying protection. [19] Kiying replied stating that the Cantonese were hard to control, overbearing, violent and menacing and expressed the opinion that the Chinese would probably demand the surrender of the party who caused the death of Hsu Aman. [20]

Mr. Cushing refused to submit to the jurisdiction of Chinese Courts in the matter reversing the precedent adopted in the Terranova Trial. The Consul at Canton summoned a jury of six American citizens, who after having heard the evidence, were of the opinion that the killing was justifiable homicide. [21] It was then that Mr. Cushing pronounced his celebrated theory of extraterritoriality to which we have already had occasion to refer.

The negotiations for the treaty then proceeded, and at the request of Mr. Kiying Mr. Cushing presented a draft treaty which formed the basis of later discussions. The negotiations proceeded amicably until finally, on July 3, 1844, the treaty was signed an Wanghai. The treaty in question contained stipulations of great importance, namely: (1) The grant of extraterritoriality; (2) That in opium matters Chinese law applied; and (3) That the treaty should be revised in twelve years.

**The Treaty of 1858:** The Treaty of 1844, although it was destined to put a stop to the constant wrangling between the American and Chinese authorities, did not have the desired effect. Kiying, the representative of the Chinese Government who had signed the Treaty, strictly enforced the stipulations against Chinese. This action on his part made him extremely unpopular with the Cantonese, and on account thereof he was called to Peking in 1848, and degraded two years later.

In accordance with the provisions of the Treaty, providing for revision within twelve years, Dr. Peter Parker, Stonemason, Surgeon, Divine and Diplomat, Secretary of Legation, and six times Charge d'Affaires was in 1855 appointed Commissioner by the United States to revise its Treaty with China. His mission, however, was an utter failure, and negotiations were for the time being abandoned.

When President Buchanan was inaugurated, Mr. William B. Reed was appointed in 1857 Envoy Extraordinary and Minister Plenipotentiary to China, with instructions to proceed to China, where he arrived in November of the same year, and to revise the Treaty of 1844, so as to allow: (1) Residence of an American Envoy in Peking: (2) Extension of commercial intercourse; (3) Religious freedom for Chinese; and (4) Measures for the better observance of treaty stipulations.

The Chinese refused to discuss the matter of revision with the United States, as they had previously done with

17. Viceroy Chen to Mr. Cushing, May 4, 1844.
18. Mr. Cushing to Viceroy Chen, June 9, 1844.
19. Mr. Cushing to Kiying, June 22, 1844.
20. Kiying to Mr. Cushing, June 28, 1844.
21. International Relations of the Chinese Empire, Vol. I, page 328.

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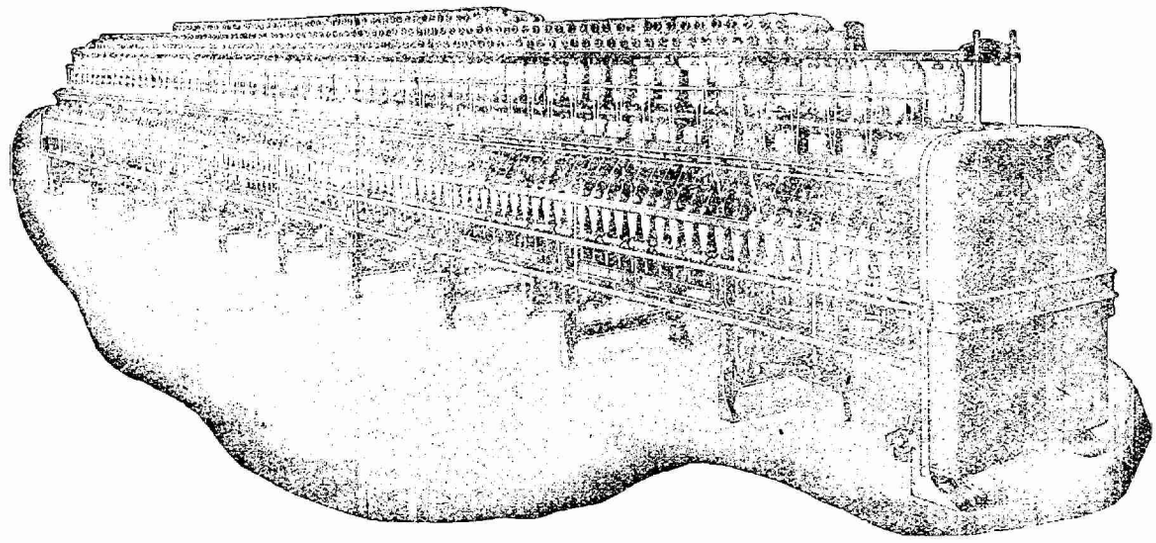

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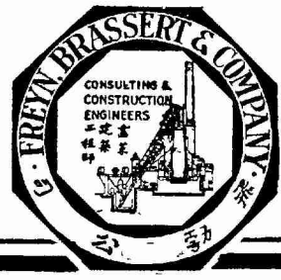


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France, England and Russia. The Plenpotentiaries of these four governments, with their Convoys, which constituted quite a formidable array, proceeded to the mouth of the Peiho, where, after some trouble, and a short battle, they forced an entrance into the mouth of the River, and proceeded after some delay to Tientsin, where they arrived on June 2.

The next day, June 3, Mr. Reed and the other Envoys informed Kwei Liang and Hwashana that they were ready to open negotiations, and had in turn an interview with them—the British Representative, Lord Elgin, on the 4th of June; Baron Gros, the Russian Representative, on the 6th of June; Count Putiatin later on the same day; and Mr. Reed on the 7th of June. After this exchange of formal and ceremonial visits the negotiations were left entirely in the hands of the Secretaries and Interpreters, and the Plenipotentiaries did not meet the Chinese Envoys again until the dates set for the signing of their respective treaties.

At this time there was some question raised as to the authority of the Chinese Plenipotentiaries, and at the opportune moment Kiying, who negotiated the Treaty of 1844, arrived on the scene. After a long and tedious wait, a lot of wrangling and bitter feeling on both sides, the British, French and Russian Treaties were finally signed.

The negotiations leading up to the signing of the American Treaty began on June 14 and ended on June 18 when it was signed. The Treaty, as finally drawn up, contained thirty Articles, some of the most important of which are: (1) A most-favored-nation clause; (2) The right of an American envoy to proceed to Peking on important business; (3) The toleration of Christianity; and (4) Further stipulations regarding extraterritoriality.

The Treaty, although signed, had yet to be ratified within one year from its date, and Mr. Ward was appointed by the American government to carry out this important mission. Upon arriving in China, Mr. Ward was informed by the Chinese authorities, as the Plenipotentiaries of Great Britain, France and Russia had been, that the Treaty would not be ratified. The Plenipotentiaries accordingly, as they had done the year previous, proceeded to the mouth of the Peiho, where the British proceeded to attack the Forts at Taku, the result of which was their hopeless and utter defeat. Mr. Ward, having been invited to land at Peitang instead of Taku, proceeded to that place, and was received with proper respect. He left Peitang on July 20, and, with members of his Legation, proceeded to Peking, where he was informed that ratifications would be exchanged at Peitang, which was done.

**The Treaties of 1880 and 1894:** The policy of the Imperial Chinese government had always been to refuse sanction to emigration and expatriation of its subjects This law, although never repealed, repealed itself, for it was never enforced. Many Chinese emigrated from time to time to the California Gold Fields and other places in the United States. The Pacific States, however, by means of the ballot box, spoke on this subject and passed legislation through Congress restricting Chinese emigration which was vetoed by President Hays.

A Commission was appointed in 1880 to negotiate a treaty with China, consisting of J. B. Angle, of Michigan, J. T. Swift, of California, and W. H. Trescott, a former Assistant Secretary of State. This Commission opened negotiations with China on October 13, 1880, at Peking, which culminated in the signing of the Treaty of 1880, giving the American government power to regulate, limit or suspend, but not to prohibit Chinese emigration, and to pass laws making it a penal offense to traffic in opium.

In 1882 Congress passed a bill to suspend for twenty years the emigration of Chinese laborers, but the Act was vetoed as being contrary to the spirit of the Treaty.

In 1888 a Treaty was negotiated with the Chinese Envoy at Washington, by which emigration was to be practically prohibited. Some amendments were proposed by both the United States and China, but the Treaty failed of ratification. Pressure, however, continued, and a Treaty was signed on March 17, 1894 and duly ratified, by which the coming of Chinese laborers to the United States was to be absolutely prohibited for a period of ten years. After the ten years had expired China denounced the Treaty refusing to comply with it, and has since permitted the American government to take its own course with regard to emigration.

**The Treaty of 1903:** The ultimate and basic cause of this Treaty was the Boxer Uprising, the story of which is more properly related elsewhere. The space allotted to this discussion is too brief to permit a discussion of any of the details of the anguish, suffering the bloodshed which finally culminated in China signing Treaties with all Foreign governments.

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appointed to negotiate and sign this Treaty. After some discussion and the usual amount of wrangling the Treaty was signed at Shanghai on October 8. 1903, some of the import provisions of which are: (1) The protection by China of American trademarks, patents and copyrights; (2) A change in the tariff; (3) Additional provisions regarding extraterritoriality (4) The regulation and allowance of inland navigation by American vessels.

*The next article in this series will appear in an early issue of the Weekly Review.*

## Views In Review

The 21 demands is a '23 problem.

The Near East settlement seems to be no nearer.

One day the Canton reports are Red and the next blue.

Speaking of finances, Germany has overstepped the mark.

Foreigners who miss their own post offices strike at the Chinese.

Wu Pei Fu might have lost face but he wouldn't be nosed out.

Dr. Sun Yat-sen thought he saw can in Canton but somebody added the t.

When Greece melted away the Lausanne conferees found Turkey tough picking.

All these reports that China's treasury is hard pressed come from the squeeze.

The Germans wanted longer terms but that view is not held by the imprisoned agitators.

When France says Germany must pay through the nose that is not a matter to be sneezed at.

"Free Irish Prisoners," reads a London Times headline, but what would anyone want with them?

Mr. Joffe's report shows a section of the English language press of Shanghai to be easily Red.

"Koumintang Base in Swatow," reads a headline, and some writers say they are that way everywhere.

Some think that America should have no voice in Europe while others think Boyden should stay.

We wonder if those who talk of a daily air service out of Peking refer to any of those which circulate here.

In France the miners got advance pay to strike but in America they had to strike to get their pay advanced.

It is suggested that a lot of Armenians might be sent to Russia. Haven't these poor people been persecuted enough?

The paragrapher who discovered that a consortium wasn't a musical instrument probably knew it couldn't strike the notes.

The Sinclair Oil Company is trying to get the United States to recognize Soviet Russia through an oil concession—another effort to pour oil on troubled waters.

A British judge here decided that an American divorce was worthless, but if he were an American husband he might hold a different view.

A Philippine court disbarred a solon in the insular senate from the practice of law.—How can the Little Brown Brothers learn the art of lawmaking without practice?

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# Men and Events

A daughter was born to Mr. and Mrs. J. E. Doyle, on Sunday, January 28, at St. Mary's Hospital, Shanghai.

A son was born to Mr. and Mrs. R. P. Roberts at the Victoria Nursing Home, Shanghai, on Friday, January 26.

C. T. Wang, former Minister of Foreign Affairs, Peking, arrived in Shanghai on Tuesday, January 30, to attend the birthday celebrations of his mother.

H. T. Seymour, of Dodge and Seymour, who has been on a trip around the world, arrived in Shanghai, on Monday, January 29, from Manila. Mr. Seymour plans to remain in Shanghai for several weeks and is staying at the Shanghai Club.

The Wo Shing Steel Company, organized for the purpose of manufacturing steel, has just been incorporated with the Ministry of Agriculture and Commerce at Peking. The company was organized by Lok Pak-hung and other capitalists of Kiangsu Province, with an initial capital of Tls. 2,000,000.

The Commercial Press, large Chinese printing works in Shanghai, was recently reincorporated with the Ministry of Agriculture and Commerce at Peking with capital increased to Mex. $5,000,000. The Commercial Press was organized in January 1896, and is said to be one of the largest institutions of the kind in the world.

The American Association of North China held its annual meeting last week, when the following members were elected to serve as officers for the ensuing year: Dr. H. S. Houghton, president; H. C. Faxon, vice-president; J. A. Goette, secretary-treasurer; and executive committee, Messrs. Pettus, Dunlop, Holden, and Torrance.

The calendar for the Spring and Fall term of Soochow University has just been published by the Methodist Publishing House, Shanghai, for the year 1923 in booklet form. A list of officers of administration and instruction are given, requirements listed for the degrees, and description of the courses in English and Chinese. A new Science Hall for the Soochow University is under construction and a photograph of same is included.

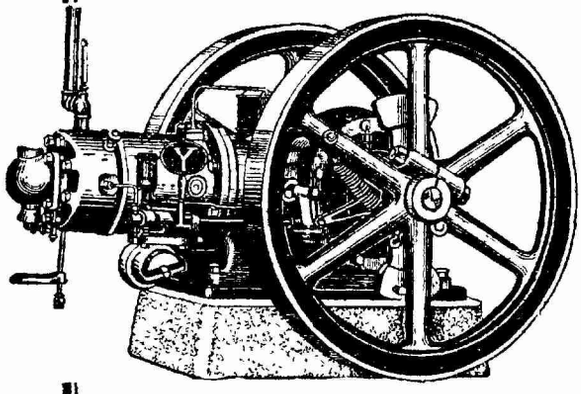
The *Manila Times* for January 8, published an article stating that an unofficial alliance has been made between Portuguese and German interests whereby the port of Macao in South China is to be taken over by the Germans. According to the *Times* the Germans contemplate the expenditure of $6,500,000 in the construction of a break-water and a deep-water channel of three miles from the present port to the open sea. The construction work is to be handled by a Dutch concern, according to the report.

A meeting of the Shanghai Women's Club. (Chinese) was held on Monday afternoon, January 29, in the building of the *Shun Pao*, when Tsung Biu-wang, Chief Justice of the Criminal Court under the Southern government, spoke on the industrial conditions prevailing among the women working in silk factories. In conclusion, there was a discussion of the problems to be met in the various institutions, and it was proposed to send a letter to the heads of the factories in regard to the working hours and conditions.

An *Associated Press* dispatch dated at Washington on January 4, published in Manila stated that a bill had been introduced in Congress by Chairman Wadsworth of the Senate Committee on Military Affairs extending the U. S. Army reserve training camps to the Philippine Islands. The bill declares the purpose is to provide more adequate defense of the Islands and to prepare the people for an increasing measure of self government. It is thought that the plan contemplates the training of Filipinos in modern military tactics.

More than 200 members and guests were present at the annual meeting of the American University Club, held at the Columbia Country Club, on the evening of Saturday, January 28. A dinner-dance was given, following which a short business meeting was held, when the reports of the treasurer, J. A Kreis, was read and the year's work reviewed by J. B. Powell, president of the organization. The election of officers for 1923 took place and include: H.Y. Moh, president; Carl Crow, vice-president; and Robert Mishler, secretary.

The first passenger ship of the Norddeutscher Lloyd Line to arrive since the war, was the *s. s. Weser*, which arrived in Shanghai on Sunday, January 28. A reception was, held on board ship for the German community in Shanghai. Herr Thiel, German Consul-General in Shanghai, welcomed Captain Jachens of the steamer, stating that, with the advent of the *Weser* a new link was forged between the Far East and Germany. The steamer carries only first and third class passengers and vessels of this type will ply between Yokohama, Tsingtao, Shanghai, Hongkong, Manila, Sing-



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apore, Belawan, Colombo and Genoa, Amsterdam, Rotterdam, Hamburg and Bremen. A great reduction has been made in the first class fare which amounts to £77 from Shanghai to Genoa, and £84 to other ports on the North Continent. A similar reduction has been made in the third-class fare quoted to be £37 and £39.

Much interest is being manifested in the new course on "Practical Instruction in Factories," which the Chinese Y. M. C. A. is putting on in cooperation with St. John's University in the science hall of the latter. The course opened this week on Thursday and fifteen applications had already been signed up for the course and as the enrollment is limited to twenty it is anticipated that it will be necessary to turn away a number. E. C. Clark of the International General Electric Company is to have charge of all experiments and demonstrations and will supply various models and pieces of machinery in order that each point in the lesson may be made clear. M. H. Pai, of Andersen, Meyer and Company, will give the lectures and conduct the discussions in Chinese.

The annual report of the Moral Welfare League of Shanghai has just been published in booklet form, showing the work accomplished during the year 1922, as well as the program and budget for the year 1923. An outline is made of the history and constituency of the Moral Welfare League which is the outgrowth, according to the report, of a community desire and conviction that special attention should be paid to vice conditions in the International Settlement, and an invitation to organize for this purpose extended by the Shanghai Municipal Council. Much correspondence is printed herewith between the Shanghai Municipal Council and Dr. F. Rawlinson, honorary secretary of the organization, on the existing vice conditions in the settlement. The treasurer's report concludes the reading matter.

Dr. F. L. Hawks Pott, president of St. John's University, delivered an enlightening address before the Rotary Club, at its meeting on January 25, on educational institutions in Shanghai. Dr. Pott pointed out the danger of a highly developed selfish national spirit in the Far East. He said the first school for foreign boys in Shanghai was founded by the Masonic Bodies in 1886, and that this school later became the Municipal Council's, as was the case of a private enterprise founded in 1891 for Eurasian children, which later was taken over by the Municipal Council. Today, there are seven public schools in Shanghai, said Dr. Pott, including ones for French, British, American and Japanese, a new one being erected for the girls, and Municipal Council aids four schools by grants from public funds. Dr. Pott emphasized the fact that racial snobbishness should be obliterated from schools in Shanghai.

The sale of American Bibles in China is on the increase. The American Bible Society agency in Shanghai has issued its report for the year 1922 which states more Bibles were sold during 1922 than any year previous, the total amount being 19,356. The amount of Mexican dollars received for the American Scriptures was $37,995.32. This, according to the report, is in spite of the fact that North and South China have been ravaged by warfare, and brigandage has gone unchecked in the Central provinces. The so-called anti-Christian spirit has increased the students' interest and is attested to by the fact that during the past year a half dozen commercial bookstores in Peking sold alone over 2,000 Bibles and New Testaments, to the value of $1,200. These were sent almost entirely to non-Christian students in the government schools of the Capital. The Society published more than 2,000 000 volumes, 50,000 of which were printed in the remote western city of Chengtu, by the Canadian Methodist Mission Press.

The annual meeting of the Chinese Engineering and Mining Company was held on December 11, at Winchester House, Old Broad Street, E. C. According to the chairman of the company, the reports read caused some disappointment among the members of the Board, due to circumstances beyond the control of those who have the management of the company's affairs in China. A balance dividend of 3½ percent, was declared making 13½ percent for the year, free of income tax, which is equal to 18 percent, less tax, a substantial result when considered by itself and apart from achievements in previous years. The net profit, according to the report, of the Kailan Mining Administration, after providing for 6 percent interest on the Kailan Mining redemption of bonds for the year, reserve for depreciation, and the proportion to which the Chihli government is entitled, was $4,593,784. The share of the profits amounted to $2,528,683, against $3,850,013 in the preceding year.

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23-448

# News from Central China

According to the latest census returns submitted by the Hankow Magistrate's Yamen, there are within the Hankow City confines 182,321 male residents and 150,030 female. The population of the Hankow suburban region is estimated at 76,553 and 47,549 female.

The telephone operators have filed a second petition with the Chinese Telephone Administration asking for an increase in their salaries, but no threat of strike is included in the appeal. The operators complain that it is only natural for the Ministry of Communication organizations, as railways have already obtained their increase.

After six months of drought in Honan slight relief has come with a three inch snowfall on January 14. This will at least help some to revive the wheat which was sown and had taken root. However, there still remains the very large acreage of unsown land. Prices are still rising and those who ordinarily have grain to spare are hoarding it in case the spring crop suffers from drought.

The weather-cock has just said good-bye to the disgusted over-long dry weather, and the first rain for several months is falling today. Most Chinese here claim that the strength of the religions piety of Chinese votaries of Buddhism in these cities has at last propitiated God, while many others believe that the ban on butchery, the pig-killing trade, has allayed the wrath of the God of Heaven.

The sad news has been received in Hankow of the death of W. J. Hood, harbor master at Shasi. Mr. Hood took suddenly ill last Thursday and. his condition necessitating immediate medical attention, he was taken by launch to Ichang but unfortunately he died on Friday as he was being carried ashore. The funeral took place at Ichang on Sunday when the entire community attended.

Dr. Richard Wilhelm, Scientific Attache of the German Legation in Peking, will give an interesting address before the Wuchang community to-morrow evening at the Y.M.C.A. building, his theme being "Some Comparisons of Chinese and Western Philosophy." Dr. Wilhelm has spent twenty-three years in China. He is a learned student of Chinese thought, having translated many of the classics and taoist books.

Tuchun Hsiao Yao-nan is entertaining tonight the members of the China Merchants Club, Chinese and foreign, of the Yangtze River Commission which is now beginning its work of improving the Yangtze system from Hankow. H. Ven dar Vee, hydraulic engineering advisor to the Ministries of the Interior and Communications, is now visiting Hankow from Peking in connection with affairs of the Yangtze River Commission.

Railway employes of the Canton-Hankow line are again threatening to go on strike, complaining that the scale of their pay is below that of the Peking-Hankow railway. Edward Wang, managing director of the Canton-Hankow Railway, has been urged by the workmen to bring up the scale of pay to that of the Kiahen line, since they are all working for the Ministry of Communications and are entitled to equal treatment.

In a letter from one of the Honan mission stations it is stated that a regiment of the new army—ex-bandits—called at that place a few days ago, surrounded the Yamen, beat the official, relieved him of his silver, etc., and took nine bandits, who were in captivity, away with them. Consternation naturally prevailed among the city folk until, at daylight the following day, these "model" troops left together with their ransomed pals.

An Anti-Foot-Binding Society has been organized by a number of Chinese in the former German Consession here. The endeavor of this society will be to stop this inhuman form of crippling womanhood of the Chinese race for the sake of attaining effeminate beauty, The chief promoter is the steward of the Chinese Race Club of Hankow. The movement includes plans to conduct an anti-foot binding campaign in Hankow and to establish extension agencies in the interior.

Delegates from Shanghai, Peking, Taiyuanfu, Tsinanfu, Changsha and Hankow are now attending the first annual conference of the International Famine Relief Committee of China. At yesterday's opening session Tuchun Hsia Yao-nan was the principal speaker. While Chiang Pei-lin of the Hankow committee also made an appropriate address of welcome. Rev. W. C. White of Kaifeng, Honan, responded on behalf of the China Committee. The officers of the Commission are chairman, M. T. Liang; vice-chairman, W. C. White; treasurers, Liu Fang and D. W. Edwards; executive secretary, Walter H. Mallory and associate executive secretary, Y. S. Chang.

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## TO-DAY?

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23-450

Some twenty labor unions in the Wuhan cities are arrayed against the imprisonment of the leaders of the Mackenzie & Co. strike in the British Police gaol following sentences given by the British Mixed Court on January 11. They have sent a petition to the British Consul-General requesting that the prisoners be released. A meeting was held last night in the Chinese General Chamber of Commerce where some official representatives were present. Tsen Bao-hsun, the chief labor leader of the Wuhan Federated Labor Union, was called in to arrange a compromising basis for the settlement of the Mackenzie cotton strike. Tsen has agreed to avoid violence but will await peaceful settlement.

Cotton workers of Mackenzie Press Packing Company are making strenuous efforts to hold a demonstration to demand the release of their ringleaders from the British Police gaol as well as a satisfactory settlement of the strike in Mackenzie & Co. Foreingn Volunteer Corps have again been warned to be ready for mobilization in the event of an emergency occurring. Much anti-foreign propaganda has been made by the strikers in their efforts to effect the release of their comrades. The local Chinese authorities have been indicated by the agitators in their circulars as having been enslaved to foreign influence and power on account of their indifference to the imprisonment of strikers in a British gaol.

In a communication addressed to the management of the British Cigarette Company, the Hupeh Labor Union states that the relations between the Chinese and British peoples will be at stake if the British Cigarette Company does not change its attitude toward Chinese labor. They would then stir up the Chinese people to save their commercial relations with Britons and call for a boycott of their goods. The Chinese laborers further added that the British factory should take some action to mend the situation before it is too late. In reply to this threat from the workmen, the manager of the British Cigarette Company issued a statement that in spite of the efforts of the company to help the workmen and improve their conditions, the latter have always tried to interfere with the administration of the factory, which having led to an impossible point has made the company close the factory.

The province of Szechuen is just now in a very bad condition. On the surface one might say that everything is fairly quiet but one has the feeling continually that there are under-currents and things seem to go from bad to worse. No constructive work, at all, is being done or effort made to sólve the real problems of the country. The country is drifting and how soon disaster may come one cannot say, Already there are rumors of another battle for military supremacy, to be staged about Chinese new year time. In spite of the unsettled conditions, Chungking continues to be a very busy place, a great number of buildings are being erected and the city is being improved. The larger steamers have ceased running but the smaller ones continue to make regular trips and we are told that there will be steamer connection with Ichang all winter. It is a great improvement on the old days when the only means of travel was the house boat.

A Committee of Chinese and five foreigners was formed on January 19, at the Victoria Hall where leading foreigners and Chinese met to discuss the organization of a society for the Prevention of Cruelty to Animals, the committeemen named being G. E. Charleton, W. S. Dupree, C. M. Menbaron, C. B. Horner, D. A. Wilson, H. T. Wei, Chu Kwun-nan, Chiang Pei-ling, Liu Tsz-tein, Yang Kwun-sa and Cheng Sin-chew. Two doctors were added to the Committee at the suggestion of D. A. Wilson. The meeting was presided over by C. H. Charleton with E. S. Littis, acting as secretary. The first resolution was proposed by Mr. Charleton, which reads as follows: "It is hereby resolved that a society be formed for the Prevention of Cruelty to Animals. Membership in this society is to be open to all residents." A. E. Marker followed with the second resolution calling for the election of a Committee to take steps to eliminate cruelties and harsh treatment to animals, which was carried.

Whether foreign chambers of commerce in Hankow ought to make presentations to the Chinese authorities to urge an early settlement of the labor unrest in Hankow was debated on January 16 at an extraordinary meeting of the International Committee of Foreign Chambers of Commerce of Hankow which was held at the request of W. P. Mills, secretary of the Chinese Y. M. C. A. Much controversy followed the discussions and the question is as yet unsettled. The question of organizing a united militia of local defence out of the various units of foreign volunteer companies was also brought up. The scheme provides for a force of mutual defence so that the volunteer units may be placed under one commander and amalgamated headquarters with reserves in a position to defend the Concessions most effectively in the event of emergencies. The plan is said to have been endorsed by the commanders of the various companies, and

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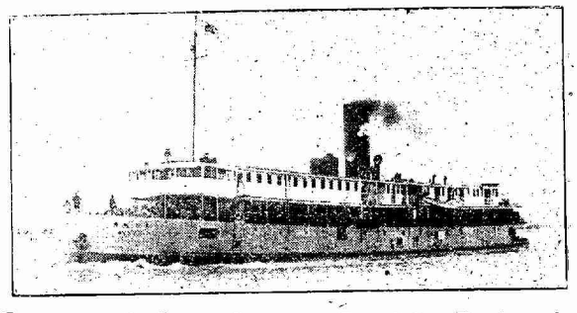

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23-452


is now before the chairmen of the foreign municipal council for their sanction.

The local government here has earmarked an appropriation of $400,000 for educational work in Szechuan this year. This will go to the support of provincial institutions and students studying abroad in Japan, America and Europe. Several educational conferences have been scheduled for this year. It is intimated that a plan for the foundation of a Szechuan University will be considered. The government has given out some interesting educational statistics about Szechuan. Under the heading of government institutions there are: 1 Higher Normal College, 1 Public Technical School, 1 Commerical College, 1 Agricultural College, 1 Law College and 1 Foreign Language School. Private schools include 1 Law School and a School of Medicine, 65 middle schools, 4 technical schools, 21 schools of industries, 885 grammar schools, and 14,115 primary schools in the whole province. There are twelve libraries, only one of which is a government institution. Besides there are 83 lecturing halls and about 100 reading rooms. These figures are perhaps purported to give a make-belief impression of a much less optimistic situation.

Hankow, January 25, 1923.

# News from South China

Up to January 20, Dr. Sun Yat-sen has not yet shown up in Canton. To those who understand the present situation, his presence will not affect the present situation unless he has greater forces with him.

The *s. s. Seistan* arrived in Hongkong, January 15, with 120 Kaffir soldiers on board for Macao. The men are in charge of two white sergeants and two white corporals and have come from Mozambique.

Among those who had to depart from Canton in connection with the present political trouble were Provisional Governor Chan Chih-yue and his son, Commandant Chun Wing-sen of the Coast Defense.

Heavy bomb explosions have been taking place in Macao the last few weeks. Most of the outrages were work of the dissatisfied laborers whose unions have been closed by the Portuguese authorities, it is believed.

A sensational and record seizure of raw opium was made January 17 on a lonely island near Hongkong by an inspector of the Hongkong Police. It was estimated that the haul must be at least nine tons and worth some $700,000.

In spite of the destruction of more than $10,000,000 worth of depreciating Kwangtung Provincial Bank paper money two weeks ago, there is still some $30,000,000 in circulation on the market. The notes are now worth about 30 percent of face value.

Delegates, representing 154 labor unions of Hongkong, on January 19, in a mass meeting held in the Hongkong Y. M. C. A. unanimously decided in favor of the bill abolishing *Mui Tsai* system, of slave-girls, now pending before the Hongkong Legislative Council.

Chan Lim Pak, a leading Canton business man, has handed in his resignation as president of the General Chamber of Commerce of Canton. He has been greatly embarrassed by the present political trouble in Canton, where all parties would look to the chamber for financial assistance.

The steamship *Nile*, which has for some time been the property of the China Mail Steamship Company, has been sold to a Chinese syndicate known as the Mei Lee Company for $175,000. The syndicate intends, to first run her for passenger and freight service between Hongkong and Singapore and then on the trans-Pacific service.

The Hongkong Amateur Athletic Federation, composed of thirteen of the athletic bodies of this port, has been asked by the China Amateur Athletic Union to develop teams for the Far Eastern Olympiad to be held in Osaka, Japan, next May, in swimming, volley ball, football, tennis, baseball, and in track and field athletics. The process of training and selection is now in progress.

Dr. M. M. de Colbert, a German charged with having possessed dangerous articles in connection with the bomb outrages in Canton, October 19 last, was acquitted by the Canton District Court, January 17, after almost three months in jail awaiting trial. Dr. de Colbert was the first defendant in a criminal case coming before a Canton court since the abolition of extra-territoriality for the Germans and Austrians in China.

Four hundred American visitors travelling on the Cunard liner *Laconia* visited Hongkong, January 17 and 18. The Cantonese who had made preparation to receive these visitors upon their expected visit were much disappointed because of local disturbance and the decision of the party to

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exclude Canton from their program. The party could have come and left without trouble as events turned out, but it was too big a risk for the company conducting the party to bring the visitors up, it seemed. The hotels were pretty well filled the last few days owing to the arrival of a large number of Kuomintang members.

Up to January 20, the sphere of influence among the military units was about as follows: The Yunnan-Kwangsi troops have occupied the principal section of Canton City, the north of the Pearl River, and the more important towns along the West River up to Wuchow. The Chen Chiung-ming forces are quartering along the chief towns on the East River. The Cantonese Army, the part which has just mutinied against Chen Chiung-ming, and Dr. Sun Yat-sen's Punitive Army is now in Honan, southern section of Canton City. The Yunnan-Kwangsi forces have taken the commission of salt, the arsenal, the mint, and other important political positions. The possession of the railroad administrations is being contested.

The Yunnan-Kwangsi troops have replaced those of General Chen Chiung-ming in command of Canton. Since January 16, when it was learned of the evacuation of General Chen and some 10,000 troops still loyal to him, the non-Cantonese forces have been pouring into the city, occupying whatever public offices and government buildings they could get hold of. General Chen has withdrawn to Waichow. Dr. Sun Yat-sen's followers, under the color of the Punitive Army, have also been trying to gain a foothold here, but they are being gradually disarmed by the non-Cantonese forces who are more in favor of the Chenghsuehhui Political Party than the Kuomintang. In the coming struggle for power in Canton, aside from the supporters of General Chen Chiung-ming, who are looking for a come back, there will be the Chenghsuehhui as well as the Kuomintang.

Canton, January 25, 1923.

# The Week in the Far East

(Covering the period from Wednesday, January 24, to Wednesday, January 31.)

The prospects of an alliance between the Canton and Central governments seems again to be in the far distance, while the city of Canton is in a state of panic caused by clashing of southern forces. Sun Yat-sen's faction is gaining foothold, and General Chen Chiung-ming's troops are being relegated to the background, which is the most important news of the week under review. The Peking Cabinet has been approved with the exception of Dr. Alfred Sze, Minister of Foreign Affairs, who handed in his resignation, due to his inability to handle affairs, seems to be outstanding news from the North. Japan is busying herself with naval problems, a state of rivalry existing between her and her neighbor. The Philippines are concentrating their efforts toward their annual industrial carnival while Russia is directing her attention toward the outcome of negotiations between her Soviet representative, A. A. Joffe, and China.

Sun Yat-sen, while ready to embark for the scene of action in Canton during the week, received the startling news of the murder of General Wei Pang-ping, Commander-in-chief of the Cantonese troops, this event causing him to change his plan of action and remain in Shanghai. The *China Press* carried the following news from Canton relating events there:

"It is reported that General Wei Pang-ping, Commander-in-chief of the Cantonese troops, who was reported to have been assassinated, was put under arrest and fired upon by the Kwangsi soldiers at a Council of War summoned by General Shen Hung-ying and Liu Chin-hwan, leaders of the Ching Hsueh Hui Party (the Kwangsi party) on Friday, is being detained at the Agricultural and Forestry Experiment Station, being the headquarters of General Liu's troops.

"An unconfirmed report states that General Wei has been released through the intervention of the Japanese Consul at Shameen and is staying at the Japanese Consulate. General Wei was wounded in the shoulder by two pistol shots, but his condition is not serious.

"Warlike preparations are being hurried by the 1st and 3rd Kwangtung Divisions under General Wei which are stationed at Honam. The Kwangsi and Yunnan troops which are short of arms and munitions are attempting to disarm the Cantonese troops on the Southern side of the Pearl River, but the latter are determined to fight to the last. All communications between Honan and Canton are interrupted today.

"Meanwhile, the main body of the Cantonese troops is being concentrated in the region of Whampoa. Offensive operations against the Kwangsi and Yunnan troops will be deferred, pending the arrival of General Hsu Chung-chi's

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*Pres. Jefferson,* S'hai Mar. 2 (1)
*Pres. Grant,* S'hai, Mar. 14 (1)

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*Hannawa,* S'hai, Jan. 27 (10)
*Pawlet,* S'hai. Jan. 30 (10)

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Via Japan Ports and Honolulu.

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*Pres. Wilson,* S'hai, Feb. 17 (105)
*Pres. Taft,* S'hai, Mar. 3 (105)

**For Seattle**
Japan Ports and Victoria B. C.

*Pres. McKinley,* S'hai, Feb. 6 (1)
*Pres. Jackson,* S'hai, Feb. 18 (1)
*Pres. Jefferson,* S'hai, Mar. 2 (1)

**From Seattle**
Manila via Hongkong.

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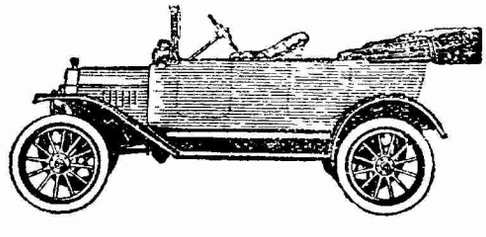



army from the eastern front. Desperate fighting in Canton is expected, in the event of the Chenghsuehhui leaders persisting in their hostile attitude against the Kuomintang leaders."

The Cabinet situation in Peking seems to be causing some excitement as regards the appointment of Dr. Alfed Sze, as Minister of Foreign Affairs. Dr. Sze, soon after appointment became ill from influenza and handed in his resignation, and departed for Tientsin enroute back to Shanghai. A later report from the capital during the week under review, however, states that many persons were stunned by the surprise with which they first received the report concerning the defeat of the nomination of Dr. Alfred Sze by the Senate on Wednesday. The news report contained in the *North China Standard*, read:

"It represents an attempt, apparently for some time past, to exclude all foreign educated students from the government service and replace them by more conservative Chinese. According to the *Peking News Agency* Premier Chang offered the portfolio of Foreign Affairs to Dr. W. W. Yen and Dr. C. T. Wang immediately after he learned of the rejection of the nomination of Dr. Alfred Sze, but both declined. The candidates now suggested are Hu Wei-teh and Wang Yung-pao, but it is doubtful whether they will accept in view of the fact that both are returned students. As to the report that Mr. Shao Meng-shen is working hard to get the post, it is not believed that he will succeed, as he is not supported in influential circles. It is reported that Peng Yun-yi submitted his resignation to the President yesterday but the latter immediately returned to him.

"In an attempt to injure Dr. C. T. Wang should his name be mentioned for the now vacant Ministry of Foreign Affairs, his enemies have circulated the story that he was the man who was instrumental in the downfall of Dr. Sze. That was branded as false to-day and his friends say that he is not keen on returning to the Wai-chiao-pu. There is a strong feeling, though, that he will be unable to avoid being put in again."

Many rumors were current during the week concerning the intentions of A. A. Joffe, Soviet representative, who came to Shanghai from North China enroute to Canton for his health. The most pronounced one was the existing relations between Sun Yat-sen and Mr. Joffe as regards the Southern part of China. However, when Mr. Joffe decided not to go to South China for his health after being refused admittance into Hongkong, and departed for Japan to visit Hot Springs, upon the invitation of Viscount Goto, the rumors and counter-rumors subsided. While in Shanghai a joint statement was issued by Sun Yat-sen and Mr. Joffe and included news of the following order:

"Communism or even the Soviet system cannot at present be introduced into China because conditions are unfavourable to the success of either. Mr. Yoffe declared that the Soviet was ready to negotiate with China on the basis of renunciation by Russia of all treaties and exactions which the Tsardom imposed on China, including the Chinese Eastern Railway Treaties. Pending a competent conference between Russia and China, the existing railway management should be temporarily reorganized by agreement between the Russian and Chinese governments. Mr. Yoffe emphasised that the Soviet did not intend to pursue an imperialist policy in outer Mongolia or cause it to secede from China. Dr. Sun Yat-sen agreed that the evacuation of Russian troops from Mongolia was not at present in the interests of China, owing to the Peking government's inability to prevent a recrudescence of White hostilities against Russian territory, leading to a graver situation than that existing at present."

With reference to the consolidation of the sinking funds for domestic and foreign loans, Sir Francis Aglen, Inspector-General of Maritime Customs, addressed a memorandum to the government, stating that inasmuch as the government is not in a position to settle its domestic and foreign debts with or without security, it cannot repudiate the claim to priority by the holders of the $96,000,000 Exchequer Loan Bonds or other loan bonds, which were designated for rehabilitation, according to the *Evening News Service*. It further states:

"As regards the joint note of the British, American, French and Japanese Ministers, reminding China of her foreign debts and expressing dissatisfaction at the preference given to domestic loans in respect of the Customs Surpluses, Sir Francis suggests that the government request, in reply, the Powers to permit China to regulate her tariff freely so that the necessary revenue may be available for the service of foreign loans."

Fighting has commenced again in Kiangsi Province, when Wu Pei-fu's troops start war on Tsao-Kun's General for domination of the province. A news report states that General Wu's representative in Nanchang, the capital of Kiangsi province, was recently appointed Commander-in

chief of "Fukien Relief Expedition" but halted troops in Kiangsi and issued a circular telegram enumerating the crimes of General Tai, Tupan of the Rehabilitation of Kiangsi. General Sun is reported to have issued the order of mobilization and to be moving troops toward Nanchang,

As regards the Coltman shooting incident in Kalgan, the latest development has been the insistence of the Chinese government for an apology from the American Consul at Kalgan, S. Sokobin, for his part in the incident which led to the shooting of Mr. Coltman by Chinese sentries. A call on Dr. Alfred Sze, Minister of Foreign Affairs preceding his illness in Peking, by the American Minister, Mr. Schurman, led to a heated discussion with no results. It was reported that that Secretary of State Hughes declared that unless these counter demands were withdrawn *in toto* the U. S. would be obliged to alter its attitude toward China. The latest telegram carried by the *Eastern News Agency* in regard to this matter contained the following information:

"The U. S. Minister to Peking called on Premier Chang Shao-tseng to-day, at 1 p. m., and enquired further about the shooting of Mr. Coltman. The Premier is stated to have told the Minister that the matter was under conference with the United States government at Washington, through the Chinese Charge d'Affaires, and as soon as the new Minister for Foreign Affairs has been appointed negotiations will be opened at Peking. A later telegram states that Liu Ching-jen is reported to be one of the candidates for the post of the Minister for Foreign Affairs."

A state of rivalry seems to exist at the present time between America and Japan with regard to naval problems as to be carried out according to the powers at the Washington Conference. *Reuter's Service* had the following report to make on this subject:

"The Premier in answer to an interpellation in the Diet by Mr. Wakatsuki, the former Cabinet Minister, said that anxiety respecting possible rivalry between America and Japan over auxiliary warships appeared to be uncalled-for as both Powers are respecting the spirit of the Washington Agreement. A tonnage of 10,000 for cruisers has been adopted at the Washington Conference because the experts there agreed that the lessons of the war showed that smaller vessels were not of much value. The replacement of warships was a matter for future consideration.

"A provision in the budget for a Japanese representative to the Vatican is eliciting vehement opposition from Buddhists throughout the country. The Foreign Office has issued the statement that the proposed Legation is entirely of diplomatic and in no wise of religious aspect. The statement declares that Japan's advancing position in the world necessitates keeping in touch with such an important diplomatic centre. It recalls historical diplomatic exchanges between Japan and the Papacy."

Answering to an interpellation by Dr. Y. Uyehara at to-day's budgetary Meeting at the House of Representatives, Count Uchida, the Foreign Minister, said that in view of the previous arrangements, the Japanese-American Trade Convention would continue for ten years further, since neither government had announced its readiness to abolish it, one year previous to the expiration of the term. Further, he stated that he would publish the particulars regarding the question of the naturalization of the Japanese in America. This report was carried by *Eastern News Agency*.

## GENERAL NEWS SUMMARY

*January 25.* Germany notifies Allies she cannot make further payments on reparations for present on account of chaos occasioned by French occupation.——London report says indication points to Germany leading in shipbuilding and was only country last year to exceed her construction.

*January 26.* Paris despatch says France decides to cut off Ruhr from Germany and passive resistance is still prevalent.——House of Representatives in U. S. adopt Green resolution proposing a constitutional amendment prohibiting further issue of securities exempt from taxation.

*January 27.* Berlin report says government firmly resolves to resort to every available means to frustrate the French policy of violence.——E. S. Sanford, U. S. District Attorney from Tennessee, is nominated for vacancy on U. S. Supreme Court.——Rockefellers are not interested in Indiana oil, according to a report made at Washington.

*January 28.* All traffic ends in Ruhr district, while railwaymen in Ruhr tear up all rails, according to Paris report.

## Shanghai Exchange for Week Ending Wednesday, January 24th, 1923.

*By Maitland, Fearon and Brand*

Exchange:—During the week the London price of Silver has fluctuated between 31⅛d. and 32⅜d. for spot and 30⅞d and 31 5/16d. for forward delivery, the last quotations received 32⅜d, and 31 5/16d are ¼d. lower for cash, and 1/16d. higher for forward than on this day last week. The Indian Bazaars have supported the market against sales by China. The demand for Gold remittances on account o Imports, Interest on Gold loans, &c., exceeds the genuine cover offering, and our market appears for the present to be maintained by speculative sales of Gold T/T for forward delivery, of which very large amounts have been on the market recently. Our official rate for T/T on London at 3/0⅝d. is ⅛d. lower than last week, our exchange market closes with 3/1⅛d. offering for T/T on London for January, 3/1⅛d. February, and 3/1d. to June, steady.

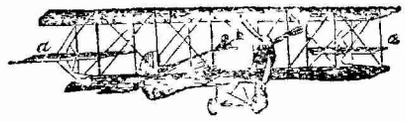
Our stocks of silver are reported as follows:—

Sycee and Bar Silver .....Tls. 21,210,000 a decrease of Tls. 453,000.
Chinese and Mexican Dollars..... $ 34,220,000 a ,, of $ 950,000.
Estimated value Tls. 45,848,000 as against Tls. 45,739,000 held at this time last year.

| T | Average rates for December | Thursday Jan. 18 | Friday Jan. 19 | Saturday Jan. 20 | Monday Jan. 22 | Tuesday Jan. 23 | Wednes. Jan. 24 |
|---|---|---|---|---|---|---|---|
| Bk's selling rates | | *opening closing* | *opening closing* | *opening closing* | *opening closing* | *opening closing* | *opening closing* |
| T/T London | 3/0.739 | 3/0½ | 3/1 3/0⅝ | 3/0⅝ | 3/0⅝ | 3/0⅛ | 3/0⅛ |
| D/Dfts. ,, | — | 3/0⅝ | 3/1⅛ 3/0⅝ | 3/0⅝ | 3/0⅝ | 3/0⅛ | 3/0⅝ |
| 4m/s ,, | — | 3/0⅝ | 3/1¼ 3/0¼ | 3/0⅝ | 3/0⅝ | 3/0⅛ | 3/0⅝ |
| T/T India | 229.156 | 225⅛ | 227½224½ | 224⅛ | 220¾ | 219 | 215 |
| T/T France | 977.917 | 1065 | 1058 1070 | 1060 | 1090 | 1115 | 1090 |
| T/T N Y. | 70.489 | 70⅜ | 71⅜ 70⅜ | 71 | 70⅜ | 70¾ | 70¾ |
| T/T H'kong | 75.120 | 74¼ | 74¼ 74¼ | 74¼ | 74 | 74 | 74 |
| T/T Japan | 69.349 | 69 | 68¼ 69¼ | 69¼ | 69 | 69 | 69 |
| T/T Batavia | 180.208 | 181 | 183 181¼ | 181½ | 181½ | 182 | 182½ |
| T/T Straits | 76.719 | 77¼ | 76 77¼ | 77¼ | 77¼ | 77¼ | 77¼ |
| Bk's buying rates | | | | | | | |
| 4m/s B/L. Cred, D/A | 3/2.239 | 3/2 | 3/2⅛ 3/2 | 3/2 | 3/2 | 3/2 | 3/2⅛ |
| 4m/s ,, D/P | —— | 3/2⅛ | 3/2⅜ 3/2⅛ | 3/2⅛ | 3/2⅛ | 3/2⅛ | 3/2⅛ |
| 6m/s ,, D/A | 3/2.739 | 3/2⅛ | 3/3 3/2⅛ | 3/2⅛ | 3/2⅛ | 3/2⅛ | 3/2⅜ |
| 4m/s B/F. C., D/A, D/P | 1,027.917 | 1115 | 1135 1120 | 1110 | 1140 | 1165 | 1140 |
| 4m/s N.Y. Lc. | 73.979 | 74⅛ | 75⅛ 74⅛ | 74⅛ | 74 | 74⅛ | 74⅛ |
| 4m/s ,, Docs | | 74⅛ | 75⅜ 74⅜ | 75 | 74⅜ | 74⅜ | 74⅜ |

| †Based on Daily Official quotation. higher rate taken on rising Market lower when falling | Jan. 18 | Jan. 19 | Jan. 20 | Jan. 22 | Jan. 23 | Jan. 24 |
|---|---|---|---|---|---|---|
| **Bullion.** | | | | | | |
| *London Price of Bar Silver per oz. (English Standard 925 touch) Fence. | 32 | 32 7/16 | 31⅛ | 32 1/16 | 32 1/16 | 37⅜ |
| ‡N.Y. Price of Bar Silver per oz. (Pure) | G. $.65¼ | G. $. 65 | G. $. 65⅜ | G. $. 65 7/16 | G. $. 66 | G. $. 66½ |
| Shanghai Price of Gold Bars (weight Tls. 10 (Chauping) 978 touch ..... | Tls. 3264⁰ | Tls. 3270⁰ | Tls. 3287⁰ | Tls. 3282⁰ | Tls. 3275⁰ | Tls. 3279⁰ |
| Shanghai Silver Bars (weight Tls. 100 (C.)999 touch) | 111⁰⁰ | 111⁰⁰ | 111⁰⁰ | 111⁰⁰ | 111⁰⁰ | 111⁰⁰ |
| Shanghai Mexican Dollars per $100 | 72. | 72.0625 | 72.075 | 72 0125 | 72.075 | 72 0875 |
| Native Bank Rate of Interest (Callmoney) | 4% | 3½% | 3% | 4% | 4% | 3% |
| *Closing Price in London for Previous day. | | | | | | |
| **Closing Price in New York for Previous day | | | | | | |

| | | | |
|---|---|---|---|
| Bank of England rate of discount | 3% | London on Paris | T/T 71.62 |
| Bank of France rate of discount | 4½% | London on Germany | T/T 94000 |
| London open Market rate of Dis. 3 m/s. | 2½% | New York on London | T/T 466¼ |
| ,, ,, 4 m/s. | 2 5/16% | Bombay on London | T/T 1/5 |
| ,, ,, 6 m/s. | 2⅜% | Hongkong on ,, | T/T [illegible] |
| | | Yokohama ,, ,, | T/T [illegible] |



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*January 29.* Chancellor of Exchequer states that settlement of British war debt with America rests with the American politicians where the Executive had to force the matter through Congress.——To legalize the opium traffic in China was to retrograde it and Sir Francis Aglen, expresses opinion that he was glad the Chinese present at the meeting deprecated it.

*January 30* French have set bad example for smaller countries and Turks decide to reject any ultimatum while French are occupying Ruhr.——Germany still remains in a state of chaos while French occupy, strikes being prevalent and almost a complete stoppage in Northern industrial area, is report.

*January 31.* London report says Constantinople telegrams speak of the pessimism of the Turkish leaders regarding the outcome of the Lausanne Conference.——Paris report says the Quai d'Orsay announce general railway strike on left bank of the Rhine.

## Weekly Cotton Market Report.

*By A. B. Rosenfeld & Son*

*China Cotton.*—Throughout the week the market displayed a steady tendency and ended in a net advance of one tael. Whenever a recession took place, enough buying power appeared to absorb the offerings and the coverings and the covering of contracts for short account was followed by a fairly large volume of buying by Domestic Mills. At the close the undertone was steady to firm.

*Yarn.*—The market during the past week has been keeping steady. Some 6,000 to 7,000 bales was bought up by Tientsin, Szechuen, Kiangse, Wuhu, Hankow, Fukien, Tsingtao, Canton, Newchwang, Chefoo and other dealers. Deliveries continue good; undertone of the market is healthy.

Liverpool, January 25, 1923,

*Liverpool Market:—*

Middling American, Spot.....16.53 Pence
" " March ..... 15.91 "
" " May .....15.72 "
Market:—*Steady.*

New York, January 25, 1923.

*New York Market:*—March.....28.54 Cents
May.....28.74 "
July.....28.40 "
October .....26.18 "
December .....25.91 "
Spot .....28.60 "
Market:—*Steady.*

Bombay, January 25, 1923

*Bombay Market:—*

Broach, F. G. April/May.....Rps. 508 per Khandy.
Fully Good Bengal, March ..... " 368 " "
Fine Oomra, March ..... " 452 " "
Market:—*Steady.*

*Shanghai Market:—*

Tungchow, Jan. ..... Tls. 41.50
Shanghai, Jan..... " 38.50
M-ginned, Jan..... " 38.50
Taichong, Jan. ..... " 40.00
Shensi, Spot. ..... " 41.00
Market:—*Steady.*

# New Books and Publications

## The Social and Political Science Quarterly

*The Chinese Social and Political Science Review January, 1923. Vol. VII No 1. Edited by Dr. M. T. Z Tyau, Published by the Chinese Social and Political Science Association, Peking.*

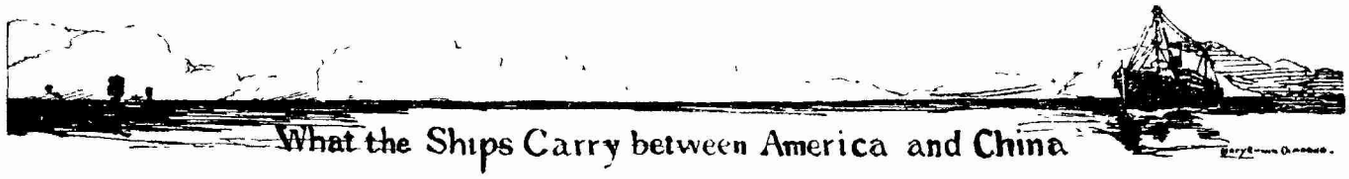
THOSE who are not yet acquainted with the quarterly publication of the Chinese Science Association will do well to make that acquaintance through this number recently published. During the past two years the editors of this magazine have labored under difficulties, as a consequence of which in 1921 no numbers were published and in 1922 only two numbers appeared. Circumstances have changed however and the editors give the assurance that four numbers will appear regularly during the year. The magazine, which is sent without charge to members of the Association, may be had by non-members for an annual subscription of four dollars. It is a publication that deserves support, and it is the reviewer's opinion that the four numbers of the year will repay the cost of subscription.

One article of interest in the current number is that of Dr. Hu Shih of Peking University, on The Social Message in Chinese Poetry. Those who have made any study of Chinese poetry, or who have found pleasure in the translations by Arthur Waley, Mrs. Ayscough, and other translators, will welcome this interpretation, by a Chinese scholar and man of letters, of the spirit found in Chinese poetry. The illustrative poems, some of them in Dr. Hu Shih's own English version, are chosen with fine discrimination to show something of the social life of ancient China and of the time of the T'ang and Sung emperors. One feels, with Dr. Hu Shih, that Western translators have been so attracted by the imagism of Chinese poetry that they have not sufficiently appreciated its peculiarly human pathos.

In this same number is an article by C. S. K. Chow on the Revision of the Chinese Tariff in 1922, which presents the principal points in dispute and the agreements that were made in regard to them; an analysis of the Consortium situation by Dr. Paul S. Reinsch, in which that subject is carefully treated; an article by Dr. H. F. MacNair on the Relation of China to her Nationals Abroad. This last article will prove very useful to all students of China's relations abroad, both past and present, as it is the result of an exhaustive study of the available sources in a field which has been almost altogether neglected but in which there is and will need to be in the future more inquiry. The article deals with China's early attitude toward her citizens who emigrated, with their condition in the Philippines, in the Dutch East Indies and elsewhere, with the Burlinghame Mission, and with the subject of China's consuls and permanent legations abroad. Frederick W. Stevens in an article on Public Opinion as a Force in China points out certain necessary conditions that must be fulfilled by citizens individually and collectively in a republic. We agree with his view that public opinion must be not only righteous but also *aggressive*, persistently so. Dr. S. Gale Lowrie contributes his views to the discussion of a federal system of government in China. "The problem of federalism," he remarks, "is not a question of a strong or weak government. It is the proper allocation of functions to fit the lives of the people." The magazine concludes with an article on the Shantung negotiations by C. Chao, with much useful information thereon: and with a retrospect of the work of the Social and Political Science Association by Dr. W. W. Yen.

D. Roberts.

St. John's University, January 23, 1923.




## Returns of the Shanghai Customs

*(Keys: Pls.—1 Picul or 133 1/3 pounds; Bls.—Bales; Pcs.—Pieces; Mills—thousands; Hk. Tls.—Haikwan Tls., Customs Rate Jan. Tls. 1.26 equal Gold $1)*

*S. S. Jadden*, January 5.

To Newton.

| | | |
|---|---|---|
| Silk, Waste: | | |
| Shanghai Bls. 26 .... | Pls. | 80,76 |
| Other Ports, Bls. 23 . | ,, | 68.96 |
| To New York. | | |
| Cotton, Raw, Bls. 510. | ,, | 2,004 |
| Cotton Waste..... | ,, | 373 |
| Cotton Yarn, Waste .. | ,, | 2,003 |
| Hides, Buffalo ..... | ,, | 292 |
| Hides, Cow ..... | ,, | 408 |
| Peas, White ..... | ,, | 1,680 |
| Hats, Rush..... | Pcs. | 49,800 |
| Skins, Goat, Untanned. | ,, | 99,467 |
| Carpets.....Hk. Tls. | | 287 |

*S. S. Gothic Prince*, January 6.

To Philadelphia.

| | | |
|---|---|---|
| Wool, Sheep's..... | Pls. | 840 |
| To Boston. | | |
| Cotton Yarn, Waste .. | ,, | 154 |
| Feathers, Duck ..... | ,, | 194 |
| Hemp ..... | ,, | 1,680 |
| Hides, Cow ..... | ,, | 823 |
| Intestines, Pigs' Salted . | ,, | 14 |
| Intestines, Sheep's .... | ,, | 12 |
| To New York. | | |
| Tea, Black, Kiukiang . | ,, | 293 |
| Tea, Green: | | |
| Gunpowder, Ningpo.. | ,, | 1,871 |
| ,, other Ports | ,, | 6 |
| Young Hyson, ,, | ,, | 30 |
| Bristles..... | ,, | 42 |
| Cotton, Raw, Bls. 159. | ,, | 610 |
| Feathers, Duck ..... | ,, | 455 |
| Hair, Horse Tail ..... | ,, | 55 |
| Hair, Human..... | ,, | 199 |
| Hides, Buffalo ..... | ,, | 1,252 |
| Hides, Cow ..... | ,, | 1,209 |
| Intestines, Pigs' Salted. | ,, | 139 |
| Straw Braid, White ... | ,, | 57 |
| Wool, Goats' Refuse.. | ,, | 141 |
| Wool, Sheep's..... | ,, | 11,244 |
| Skins, Goat, Untanned | Pcs | 37,567 |
| Skins, Kid..... | ,, | 10,000 |
| Hats, Rush ..... | ,, | 416,400 |
| Carpets.....Hk. Tls. | | 5,896 |

*S. S. Korea Maru*, January 8.

To San Francisco.

| | | |
|---|---|---|
| Walnuts, Kernels..... | Pls. | 161 |
| Skins, Fox Tail ..... | Pcs. | 74 |
| Skins, Squirrel ..... | ,, | 5,175 |
| Carpets.....Hk. Tls. | | 549 |
| To Chicago. | | |
| Carpets.....Hk. Tls. | | 864 |
| To Boston. | | |
| Wool, Sheep's ..... | Pls. | 1,001 |
| To New York. | | |
| Silk, Raw, Steam Filature: | | |
| White, Shanghai, Bls. 55..... | ,, | 53.89 |
| Silk, Raw, Filature: | | |
| Wild, other Ports, Bls. 30 ..... | ,, | 30.35 |
| Silk, Pongees, Honan . | ,, | 3.70 |
| Silk, Pongees, Shantung | ,, | 27.01 |
| Bristles..... | ,, | 33 |
| Cotton, Raw, Bls. 510. | ,, | 2,004 |
| Feathers, Duck..... | ,, | 283 |
| Straw Braid, White ... | ,, | 29 |
| Wool, Sheep's ..... | Pls. | 3,970 |
| Carpets.....Hk. Tls. | | 1,733 |

*S. S. Nanking*, January 9.

To San Francisco.

| | | |
|---|---|---|
| Brassware..... | Pls. | 18 |
| Walnuts, Kernels .... | ,, | 41 |
| Carpets .....Hk. Tls. | | 780 |
| To Omaha. | | |
| Carpets .....Hk. Tls. | | 292 |
| To New York. | | |
| Silk, Raw, Steam Filature: | | |
| White, Shanghai, Bls. 15..... | Pls. | 14.70 |
| Silk, Raw, Filature: | | |
| Wild, other Ports, Bls. 20..... | ,, | 19.95 |
| Skin, Crosses, Lamb.. | Pcs. | 1,000 |

*S. S. Ibukisan Maru*, January 9.

To San Francisco.

| | | |
|---|---|---|
| Oil, Wood ..... | Pls. | 294 |
| To San Francisco. | | |
| Antimony, Oxide..... | ,, | 42 |
| Oil, Tea..... | ,, | 807 |
| Oil, Wood..... | ,, | 285 |
| Tallow, Vegetable .... | ,, | 3,368 |

*S S. Celebes Maru*, from U. S. A., December 30.

| | | |
|---|---|---|
| Iron Hoop Cuttings ... | Pls. | 833 |
| Iron, Galvanized: | | |
| Wire Shorts ..... | ,, | 752 |
| Cotton, Raw, Bls. 200. | ,, | 701 |
| Grease, Lubricating ... | ,, | 229 |
| Wax, Paraffin ..... | ,, | 1,094 |
| Oil, Kerosene, in cases. | Galls. | 257,220 |
| Oil, Kerosene, bulk... | ,, | 50,000 |

*S. S. President Grant*, January 12.

To Seattle.

| | | |
|---|---|---|
| Egg, Albumen, Dried.. | Pls. | 18 |
| Egg, Yolk, Moist..... | ,, | 511 |
| Carpets..... | Hk. Tls. | 509 |
| To Los Angeles. | | |
| Carpets..... | Hk. Tls. | 1,934 |
| To Chicago. | | |
| Silk, Raw, Steam Filature: | | |
| White, other Ports, Bls. 11..... | Pls. | 10.69 |
| Silk, Raw, Filature: | | |
| Wild, other Ports, Bls. 10 ..... | ,, | 10 03 |
| To Scranton. | | |
| Silk, Raw, Re-reeled: | | |
| White, other Ports, Bls. 60..... | ,, | 61.39 |
| Silk, Raw, Steam Filature: | | |
| White, Shanghai, Bls. 10 ..... | ,, | 9.94 |
| Silk, Raw, Filature: | | |
| Wild, other Ports, Bls. 45..... | Pls. | 45.14 |
| To Philadelphia. | | |
| Silk, Waste: | | |
| Shanghai Bls. 50 .... | ,, | 148.72 |
| Bristles..... | ,, | 58 |
| Cotton Waste..... | ,, | 297 |
| To Buffalo. | | |
| Intestines, Pigs' Salted. | Pls. | 189 |
| Intestines, Sheep's .... | ,, | 8 |
| To Baltimore. | | |
| Carpets..... | Hk. Tls. | 135 |
| To Boston. | | |
| Cotton Yarn, Waste .. | Pls. | 193 |
| Wool, Sheep's ..... | ,, | 293 |
| Carpets..... | Hk. Tls. | 280 |
| To New York. | | |
| Silk, Raw, Re-reeled: | | |
| White, other Ports, Bls. 448..... | ,, | 458.24 |
| Silk, Raw, Steam Filature: | | |
| White, Shanghai, Bls. 299..... | ,, | 296.33 |
| White, other Ports, Bls. 15..... | ,, | 15 |
| Silk, Raw, Filature: | | |
| Wild, other Ports, Bls. 388..... | ,, | 388.87 |
| Silk Pongees, Honan.. | ,, | 87.74 |
| Silk Pongees, Shantung | ,, | 162.61 |
| Bristles..... | ,, | 154 |
| Camphor ..... | ,, | 196 |
| Intestines, Pigs', Salted | ,, | 121 |
| Intestines, Sheep's .... | ,, | 75 |
| Hair, Human ..... | ,, | 130 |
| Straw, Braid, Mottled . | ,, | 32 |
| Skins, Kid..... | Pcs. | 10,178 |
| Skins, Lamb ..... | ,, | 8,253 |
| Skins, Marmot..... | ,, | 41,698 |
| Skins, Wolf..... | ,, | 507 |
| Skins, Goat, Untanned. | ,, | 13,000 |
| Carpets..... | Hk. Tls. | 12,213 |

*S. S. Gothic Prince*, from U. S. A., January 3.

| | | |
|---|---|---|
| Embroidery Cotton.... | Pls. | 21 |
| Iron, Anvils..... | ,, | 5 |
| Iron, Galvanized: Wire Shorts..... | ,, | 555 |
| Cheese ..... | ,, | 8 |
| Leadfoil and Tinfoil ... | ,, | 28 |
| Paper, Cigarette, on Robbins ..... | ,, | 110 |
| Soda, Silicate of..... | ,, | 76 |
| Tobacco, Leaf ..... | ,, | 13,035 |
| Tobacco, Prepared.... | ,, | 28 |
| Typewriters ..... | Pcs. | 9 |
| Cigarettes.....Mille. | | 46,271 |
| Machinery..... | Hk. Tls. | 24,199 |

*S. S. West Ivan*, from U. S. A., January 3.

| | | |
|---|---|---|
| Iron, Washers..... | Pls. | 155 |
| Hams..... | ,, | 4 |
| Paper, Cardboard ..... | ,, | 227 |
| Oil, Kerosene, in Cases. | Galls | 180,060 |
| Oil, Kerosene, in bulk. | ,, | 25,000 |

*S. S. Yokohama Maru*, from U.S.A., January 3.

| | | |
|---|---|---|
| Iron Bars ..... | Pls. | 4,200 |
| Flour, Wheat ..... | ,, | 1,500 |
| Wheat..... | ,, | 7,500 |
| Paper, Cardboard..... | ,, | 1,506 |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# Outline for the Study of Current History, Finance and Commerce of China

by

H. F. MacNair, Ph. D.

*Professor of History and Government, St. John's University*

*This outline, primarily for the use of middle schools and colleges, is based upon the Review for last week. It is not intended that the whole of the outline be used but that those topics be selected that are found to be adapted to the class.*

## 1. International Affairs

*Topic 1: The Boxer Indemnity*

References: Pp. 333-34

Questions: 1. What was the total sum of the indemnity to be paid to the American government? 2. What action in reference to this indemnity was taken by America in 1908? 3. Was this the first time that the government had taken such action in reference to China? 4. What action is now proposed by the United States Congress? 5. What can you say as to the use of indemnity money for educational purposes? 6. How much does the Chinese government still owe the American government on the indemnity claim? 7. What suggestion has been made by certain American businesss interests as to the use of indemnity money? 8. What is Mr. Harold Dollar's idea as to the use of this sum? 9. Suggestion: Hold a class discussion of the last sentence in this article.

*Topic 2: U. S. Extraterritorial Rights in China*

References: Pp. 336-37.

Questions: 1. What is the meaning of the term Extraterritoriality? 2. Where did extraterritoriality originate? 3. What reasons are given for the use of extraterritoriality in China? 4. How does the Chinese law of homicide differ from that of England and America? 5. What is the doctrine of extensive responsibility? 6. What can you say as to its good, as well as evil, effects in China? 7. Give modern, as well as older, instances of maladministration of justice in China. 8. Explain the quotation in reference to "barbarians" on p. 337.

*Topic 3: Mr. Joffe's Chinese-Russian Negotiations*

References: Pp. 339-41, 368.

Questions: 1. What is the basic reason for the writer's holding that Mr. Joffe is bound to fail in his work in China? 2. What was the Changchun Conference? What did it accomplish? 3. What was the Nikolaievsk tragedy? 4. What are said to be Mr. Joffe's aims in China? 5. Which of these does he consider the most important? 6. Of what importance is the Chinese Eastern Railway to the Russians? To the Japanese? To the Chinese? 7. What criticism has Mr. Joffe made of the Chinese in Manchuria in relation to Russians? 8. What is the instance given of Mr. Joffe's alienating the "common people" of China? 9. What is diplomatic immunity? How far does it extend? 10. What seems to be the Russian policy in relation to Mongolia?

*Topic 4: Russia and the Manchurian Problem*

References Pp. 341-2,344.

Questions: 1. What four countries have evinced interest in Manchuria during the past few years? 2. When did the Russians expand through Siberia? 3. What is the policy of Russia in Siberia? 4. How has the question of Constantinople been related to that of Siberia? 5. How did Germany and France aid Russia in 1895? 6. Does the writer of this article think Russia has been permanently pushed from the Far East? Why? 7. Which country laid the foundations of prosperity in Manchuria? Which has built on this foundaton? 8. Is Russia willing to sell her interest in Saghalien? Explain.

*Tpic 5: The Manchurian Question at the Washington Conference*

References: Pp. 344, 346, 348, 350, 352, 354; also previous issues of the *Review*.

Questions: 1. What was the final official action of the Conference in relation to the 21 Demands? 2. What action did the American government take in 1915 in reference to the demands of Japan upon China? Note: For further study of this and similar questions dealt with at the Washington-Conference the student should see U. S. Senate Document No. 126: 67th Congress 2nd Session.

## 2. Domestic Affairs

*Topic 1: Reunification That Failed.*

References: Pp. 337-38,366,368.

Questions: 1. What are the outstanding political groups in China at the present moment? 2. What are the positions held and what is the status as to political power of the follwing men: Tsao Kun, Wu Pei-fu, Chang Shou-tseng, Chansg Tso-lin, Tuan Chi-jiu Feng Yu-hiang, Li Yuan-hung, Sun, Yat-sen, Chen Chiung-ming? 3. What are the present relations between Tsao Kun and Wu Pei-fu? 4. What was the reunification scheme that has apparently failed? 5. Why did it fail?

*Topic 2: The Chinese Post Office*

References: P. 335

Questions: 1. What is the object of this editorial? 2. Why cannot we take "the first month under the present arrangement as a criterion by which to measure the efficiency of the post office"?.

*Topic 3: The Lo Wen-kan Case.*

References: P. 368

Questions: 1. Why is this case arousing nation wide and even international criticism? 2. What has Chancellor Tsai done to express his ideas on the subject? 3. What effect has this had? 4. Who is Mr. Peng Yun-yi, and how has he interfered in this matter? How does he justify himself? 5. Where is Mr. Lo Wen-kan now?

## 3. Commerce and Finance

*Topic 1. China-Japan Trade*

References: P. 360

Questions: 1. What is the source of the figures given here? 2. How do the trade figures for 1921 compare with those of 1922? 3. Which parts of China have the most important trade relations with Japan? 4. Is there a greater increase in exports or imports? Can you account for this? 5. What effect will favorable trade relations between China and Japan have upon their political relations?

*Topic 2: Shanghai as a Commercial Center for China*

References: Pp. 13-23 in "Industrial Progress in China".

Questions: 1. When was Shanghai opened to foreign trade? Note: The date given here is apparently a typographical error. Cf. Morse, *International Relations of the Chinese Empire*, vol. 1, p. 346: "Shanghai was opened to foreign trade by a notification of the British consul, Captain G. Butler, on November 17th, 1843. . ." 2. How many non-Asiatic foreigners are there in Shanghai at present? 3. How many Asiatic foreigners? 4. What other great ports are in China? 5. What can you say as to transportation lines radiating from Shanghai? 6. How many miles of water frontage has Shanghai? Discuss the effects of this.

*Topic 3: The Strike Situation at Hankow*

Reference: P. 368

Questions: 1. What is the cause of the strike in Hankow? 2. How many labor unions are now interested in the strike? 3. What effects do strikes have upon business? 4. Can you account for the growing number of strikes in China in recent years?

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23-460

# In The United States Court for China

(Established by Act of Congress of June 30, 1906.)

JUDGE, Charles S. Lobingier.
U.S. DISTRICT ATTORNEY, Leonard G. Husar.
U. S. COMMISSIONER, Nelson E. Lurton.
CLERK, William A. Chapman.
OFFICE HOURS 10-12; 2-4.
U. S. MARSHAL, DISBURSING OFFICER, } Thurston R. Porter.
PRISON PHYSICIAN, DR. T. B. Dunn.
DEPUTY MARSHAL, Wm. Van Buskirk.
TIENTSIN:
SPECIAL DEPUTY MARSHAL, Harry V. Fuller.

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All Notices, Announcements, Judgments, Orders and other Proceedings appearing in this department of THE WEEKLY REVIEW may be accepted as authentic.

MOTION DAY.

All contested motions and demurrers will hereafter be heard on Mondays, beginning at 3 P. M.; provided notice thereof with proof of service on the adverse party or his attorney shall have been filed in the clerk's office by 1 P. M. of the preceding Saturday.

ADMISSION TO THE BAR.

Hereafter, applicants for admission to the bar of this court, whether previously admitted elsewhere or not, w ll be examined on the following:

1. Extraterritoriality, 25 Corpus Juris, 299—331.
2. Extraterritorial Cases.
3. Extraterritorial Remedial Code.
4. U. S. Rev. Stats., secs. 4083—4131 (Act of Congress of June 22, 1860, 12 U. S. Stats. at Large, Ch. 179).
5. China Court Regulations.
6. Act of Congress of June 30, 1906 (34 U. S. Stats. at Large, Ch. 3934).

BAR EXAMINING COMMITTEE: Nelson E. Lurton. W. W. Blume. Roland S. Haskell.

Shanghai, China, January 2, 1923.

**Minutes of Recent Proceedings**

*Hearings:*

Jan. 25, 1923, Cause No. 2010, U. S. v. Gunther; testimony taken of Chen, Young and Han Yung Hsiang. Continued to Feb. 7.
" 25, " " " 1486, Kiang v. Kosel; testimony taken of plaintiff.
" 26, " " " 2048, U. S v. Slevin; testimony taken of Chang Chu Kao; continued to Feb. 6
" 29, " " " 1355, Universal Leaf Tobacco Co. v. Barber S. S. Co; testimony taken of Happer, Marshall, Angus, Loh Ming Zung and Reeves. Continued to January 30.
" 29, " " " 1396, O. J. Weeks Co. Inc. v Esso Co of China. Motion to set.
" 29, " " " 1945, Chemische Fabrik Griesheim Elektron v. International Banking Corporation. Motion to set.
" 29, " " " 2032, Knight v. Knight; testimony taken of plaintiff.
" 29, " " " 1645, In re application of Grace Mary Irvine to change name; testimony taken of applicant.

UNITED STATES v. CHARLES W. HANNIGS

*(Continued from last week)*

The story seems all the more improbable when we consider the historical setting, the previous occurrences and the surrounding circumstances. Defendant had been forced to leave Tientsin because of similar complaints. Besides two sentences, three orders of arrest had been issued and were hanging over him unexecuted. Surely no man in his senses would under such conditions, and without motive or provocation, incur the certainty of further trouble of the same kind. Again defendant is a man of middle age (49), married and the father of four children. A medical examination of him was made at his request and the result is such as at least to indicate that he would not be greatly attracted to a Chinese brothel at 3 o'clock in the morning after a two days trainride from Shanghai from which he says, and naturally, he was very tired. In the face of such antecedent improbability it behooves us to scrutinize very closely the testimony of this complaining witness; for if defendant is convicted it must be almost entirely upon that testimoney. As we shall see presently the two other witnesses for the prosecution afford little real corroboration.

The complaining witness is contradicted by other witnesses, apparently disinterested, as to important details preceding the time of alleged assault. He is very positive e. g. that defendant remained at Kiessling's confectionery store about "two hours" leaving there at ten minutes to twelve according to the clock which the complaining witness could see through the window. Mr. Kiessling himself says that defendant left at about eleven after having remained about a quarter of an hour. More than that, at almost the precise hour fixed by the complaining witness as the time of leaving Kiessling's for the Astor House, defendant was seen and greeted by no fewer than six acquaintances at the Hotel de la Paix which, according to the complaining witness, defendant did not even enter before 3 a. m. All of these witnesses declare that defendant passed through the bar-room, said "good night" and turned in the direction of the stairway to his room. One of them, the Chinese bartender, states that he followed defendant on the way to the telephone and saw him go up the stairs. All of these witnesses agree that the bar and its entrance were closed at about 12 o'clock and that thereafter there were no means of exit or entrance except that guarded by the watchman who says that he knows the defendant but did not see him that evening though he was on duty from 9 p.m. until after 2 a.m. He states that he was sometimes called away to answer the telephone or receive chits but his duty was to guard the door, and the hotel manager testifies that he remained in his office about twenty minutes after 12, that the watchman was at the door and that he did not see defendant leave although he was in a position

*Judgments and Orders:*

Jan. 24, 1923, Cause No. 1835, Chinese-American Bank of Commerce v. The Globe & Rutgers Fire Ins. Co; order of dismissal.

" 24, " " " 2034, In re Mary George's Will; order admitting will to probate.

" 26, " " " 1924, Gale v. Hall; order of dismissal.

" 29, " " " 2042, In re Charles A. Coltman's Will; order granting permission to pay certain claims.

" 29, " " " 1945, Chemische Fabrik Griesheim Elektron v. International Banking Corporation. Passed one week.

" 29, " " " 1645, In re application of Grace Mary Ivrine to change name; decree.

" 29, " " " 2032, Knight v. Knight; decree.

*(By the Commissioner)*

Jan. 23, 1923, Cause No. 2065, In re Contempt of A. Tilton Steele; order imposing fine.

" 23, " " " 2045, Shanghai Municipal Council v. Roach; judgment for plaintiff.

" 25, " " " 1786, Curran v. Wilkins; order of dismissal.

*Assignments for Hearing:*

February 5, 1923, 9:30 a. m., Cause No. 1858, Yu Fong S. S. Co. v. Wm. Katz & Co.

" 6, " 9:30 a. m., Cause No. 2048, U. S. v. Slevin.

" 7, " 9:30 a. m., Cause No. 2010, U. S. v. Gunther.

March 12, " 9:30 a. m, Cause No. 1396, O. J. Weeks Co. v. Esso Co. of China.

*Miscellaneous Filings:*

Jan. 23, 1923, Cause No. 2034, In re Mary George's will; application.

" 23, " " " 2032, Knight v. Knight; motion for judgment by default.

" 24, " " " 1835, Chinese-American Bank of Commerce v. The Globe & Rutgers Fire Ins. Co.; stipulation.

" 24, " " " 2066 American Express Co v. Chaiet; complaint; summons issued.

" 24, " " " 2034, In re Mary George's Will; oath of executor; application for sale at auction of household effects; letters testamentary.

" 24, " " " 2058, Shun-Kee & Co. v. Methodist Episcopal Church South Mission et al.; marshal's return of summons.

" 24, " " " 2059, W. Z. Zee & Sons v. Methodist Episcopal Church South Mission et al; marshal's return of summons.

where he would have seen him. Mr. Barbey, a Swiss merchant and a long time guest at the hotel, testifies that he remained until 1 o'clock but did not see the accused go out and that there was a good porter on duty.

With such an array of witnesses corroborating defendant as to his movements about midnight it seems very clear that the testimony of the complaining witness regarding what happened at the same time is untrue; and his entire omission of these occurrences at defendant's hotel strongly discredits the balance of his testimony if, indeed, it is not entirely refuted. For that testimony could only be true upon the improbable assumption that defendant after going up stairs to or toward his room came down again unnoticed before 1:45 and proceeded out of the one guarded exit without being observed by the watchman.

According to the complaining witness, defendant did not go near his hotel at this time but went directly from Kiessling's a little before 12, to the Astor House where he remained until a quarter before 2 by the clock in the tower of the British Municipal Council Building (pp. 6,7). This account is utterly irreconcilable with the testimony of the six other witnesses above mentioned. If they are believed he cannot be. And here it may be noted that the exaggeration of the time spent by defendant at Kiessling's and also at the Astor House and the entire failure even to mention the return to the Hotel de la Paix about midnight, are just such features as would naturally accompany the fabrication for the coolie by some other person of greater intelligence, of the story of subsequent events; for it would be necessary in some way to account for defendant's movements until such a late hour the selection of which, together with a place unfrequented by foreigners would render contradiction more difficult.

The description of the details of the alleged assault is hardly more convincing. The complaint upon which defendant was bound over by the Consular Court charges that he

> "did willfully and unlawfully use force and violence upon the person of affiant by then and there striking the affiant on the jaw with his fist and knocking him to the ground and kicking him with his foot."

The complaining witness repeatedly asserts (pp. 3,4,9) that defendant first struck him on the jaw or face with his fist. If the blow was a hard one, it must, according to the physician, have caused discoloration. It must have been a hard one according to the coolie for he "fell down" (p. 9) and his face was swollen (p. 11). Indeed it was noticeable to others for "a rickshaw coolie asked what was the matter with my face and I said I was hit by a foreigner" (p. 12). This, apparently was on the day he went to the Consulate. Yet the physician who examined him the same day, some thirty-three hours after the alleged blow, found no trace of it.

Again, complaining witness claims that defendant kicked him in a spot indicated as "about one inch to the right and above the anus" (p. 10) and so violent-

Jan. 24, 1923, Cause No. 2061, Foreign Mission Board etc. v. Eisler, Reeves & Murphy, Inc.; marshal's return of summons.
,, 24, ,, ,, ,, 2063, Nellie A. Pierce, Executrix v. Eisler, Reeves & Murphy. Inc.; marshal's return of summons.
,, 24, ,, ,, ,, 2045, Andersen, Meyer & Co. v. Weisel; notice of hearing.
,, 24, ,, ,, ,, 1945, Chemische Fabrik Griesheim Elektron v. International Banking Corporation; motion to set.
,, 24, ,, ,, ,, 1939, Banque Industrielle de Chine v. Sonn Brothers Import & Export Co.; plaintiff's reply brief.
,, 24, ,, ,, ,, 1678, Hung Tai Hong v. Asia Banking Corp'n; et al.; brief in support of plaintiff's contention that first named defendant's demurrer should be overruled; brief as to second defendant's demurrer.
,, 24, ,, ,, ,, 1989, In re estate of Otho F. Smith, deceased; deposition.
,, 25, ,, ,, ,, 1799, In re Amasa S. Fobes' will; receipts.
,, 25, ,, ,, ,, 2045, Andersen, Meyer & Co. v. Weisel; notice of hearing.
,, 25, ,, ,, ,, 1786, Curran v. Wilkins; motion to dismiss.
,, 25, ,, ,, ,, 1999, Daniel R. Williams et al. v. Arthur T. Steele; grounds for writ of appeal.
,, 25, ,, ,, ,, 2066, Ameaican Express Co. v. Chaiet; marshal's return of summons.
,, 25, ,, ,, ,, 2042, In re Charles L. Coltman's will; deposition; letters testamentary.
,, 25, ,, ,, ,, 1430, Shanghai Hotels, Ltd. v. Beeks; writ of execution issued.
,, 26, ,, ,, ,, 1826, Lang v. Wilkins Bros. & Co. Inc.; writ of execution issued.
,, 26, ,, ,, ,, 1924, Gale v. Hall; stipulation.
,, 26, ,, ,, ,, 2050, Ming Tong Kung Sze v. Associated Oil Co.; matshal's return of summons.
,, 26, ,, Corp'n ,, 86, Shanghai Estate Co. Inc.; annual statement.
,, 26, ,, Cause ,, 2067, Adams v. Adams; petition; affidavit; motion.
,, 27, ,, ,, ,, 1958, The Auto-Castle v. I. Delbourgo; plaintiff's brief in rebuttal.
,, 27, ,, ,, ,, 2065, In re contempt of A. Tilton Steele; affidavit.
,, 27, ,, ,, ,, 2068, A. F. das Caldas v. Liggett & Myers Tobacco Co.; complaint; summons issued.
,, 27, ,, ,, ,, 2069, U. S. v. Downs; complaint.
,, 27, ,, ,, ,, 2070, U. S. v. Danner; complaint.
,, 27, ,, ,, ,, 2071, U. S. v. Crevling; complaint.
,, 27, ,, ,, ,, 2072, U. S. v. Gall; complaint.
,, 27, ,, ,, ,, 987, In re estate of John H. McMillan, deceased; receipt.
,, 29, ,, ,, ,, 2042, In re Charles L. Coltman's will; petition.
,, 29, ,, Cobra Trading Company; articles of incorporation.

ly as to fell him. The physician testifies that the only external evidence of injury was a swelling just back of the scrotum and in front of the anus—a spot not exactly easy to reach with one's foot. He could not say that it was the result of a kick but might have been received from a fall or by sitting down on something hard. The complaining witness also claims that for two days thereafter he passd blood as a result of this injury but the physician's examination within less than a day and a half disclosed no blood.

Finally, after all this, the complaining witness, he says, not only took defendant back to his hotel and accepted payment without claiming compensation for injury but lefe defendant there at a time when, according to undisputed testimony, he could not have been admitted. Mr. Barbey, above mentioned, testifies that the doors of the hotel are closed at 2 a. m. which is the hour when the watchman leaves.

The corroboration offered by complaining witness afford him little if any help. A witness who states that he was in charge of a brothel testified that he saw a foreigner kick the rickshaw man but he could not identify defendant as the one. The identification, by the only other witness for the prosecution, was an inmate of a brothel who says that defendant visited her, is hardly more satisfactory. Defendant testifies (and on this point he is uncontradicted) regarding the preliminary hearing:

> "A. The vice-consul asked one of the witnesses 'Is that the man,' as the woman was not sure.
>
> Q. The vice-consul confronted you with this woman?
>
> A. I was told by Mr. Fuller to stand in this corner (indicating) and the woman was brought in by another Chinese person, there were several foreign people, and I heard Mr. Smith saying 'Ask that woman again because she is not certain', but I was pointed out. There are several witnesses to that effect. That is the first time I had ever seen this woman."

The transcript (p. 16) of the preliminary examination contains the following near the beginning of the testimony of this brothel inmate. "Defense states he wants the Court to note the unfair way in which this man is being identified." The identification by the complaining witness himself appears to have been similar. The transcript (p. 2) of the first hearing contains the following question and answer during his examination:

> Court:
>
> Is this man in the corner (points at Hannigs) the one against whom he brought complaint?
>
> A. Yes.

The method of identification employed in all police agencies of which we have any knowledge is to line up the accused with several others of somewhat similar appearance and ask the accuser and his witnesses to pick out the guilty one from the group. Any form of identification short of this would seem to be unreliable.

*(To be continued next week)*

# CHINESE GOVERNMENT RAILWAYS

## Shanghai-Nanking Railway Abridged Time Table.

**Shanghai North to Nanking—Up** (Main Line) **Nanking to Shanghai North—Down**

| STATIONS | Local | Fast R. | Local | 3rd & 4th Local | Express R. | 3rd & 4th | Local | Fast R. | Local | Fast Local | Local | Local | Night Express R. S. |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Shanghai North d. | | 7 00 | 7.15 | 7 35 | 9.30 | 9 50 | 12.10 | 12.30 | 15 25 | 17 15 | 17.45 | 19 35 | 23.30 |
| Nansiang ... ... d. | | 7 28 | 7.45 | 8 03 | — | 10 31 | 12.41 | 12 58 | 16 01 | 17.47 | 18.15 | 20 05 | 0 02 |
| Soochow .. .. d | | 8 59 | | 9 41 | 11 14 | 12 53 | | 14 43 | 18 24 | 19 39 | | | 1 39 |
| Wusih .. .. d | 7 00 | 9 59 | | 10 44 | 12 02 | 14 12 | | 15 38 | 19.34 | 20 36 | | | 2 38 |
| Changchow . d | 8 14 | 10 56 | | 11 41 | 12 49 | 15 28 | | 16 38 | | 21 38 | | | 3.42 |
| Tanyang . d. | 9 30 | 11.52 | | | 13 38 | 16.28 | | 17 38 | | | | | — |
| Chinkiang . d | 10 31 | 12.49 | | | 14 22 | 17 34 | | 18.33 | | | | | 5 34 |
| Nanking a | 12 30 | 14 21 | | | 15 43 | 19 35 | | 20 02 | | | | | 7 20 |
| Pukow . d | | | | | 17 05 | | | | | | | | 9 30 |
| Hsuchowfu . d | | | | | 1 16 | T P L | | | | | | T. P. L | 19.40 |
| Teinanfu d | | | | | 9 38 | H day | | | | | | H day | 6 00 |
| Tientsin Central a | | | | | 18 05 | | | | | | | | 15 25 |
| Do d | | | | | 18 15 | | | | | | | | 16 16 |
| Tientsin East a | | | | | 18 25 | P.M.L. | | | | | | P. M. L. | — |
| Do. d | | | | | 18 55 | | | | | | | | — |
| Peking a | | | | | 22 06 | | | | | | | | 19 15 |

| STATIONS | Local | Fast Local | Local | Local | Fast R. | 3rd & 4th Local | 3rd & 4th | Fast R. | Local | Local | Express R. | Local | Night Express R. S. |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Peking d. | | | | | | | | | | | 10 15 | | 5.50 |
| Tientsin East a | | | | | | | | | | | 13 35 | P M L | — |
| Do d. | | | | | | | | | | P M L | 14 00 | | — |
| Tientsin Central a | | | | | | | | | | | 14 10 | | 9.14 |
| Do d | | | | | | | | | | | 14 20 | | 10.08 |
| Tsinanfu .. . d | | | | | | | | | | T. P. L | 22 21 | T P L | 19.43 |
| Hsuchowfu . d | | | | | | | | | | H day | 2 31 | H day | 5.28 |
| Pukow a | | | | | | | | | | | 14 30 | | 16.15 |
| Nanking d | | | | | 7.40 | | 8 10 | 11 05 | | | 15 50 | 16 15 | 23.00 |
| Chinkiang d | | | | | 9 20 | | 10 25 | 12 54 | | | 17 29 | 18 27 | 0.52 |
| Tanyang d | | | | | 9 57 | | 11 21 | 13 36 | | | 18 03 | 19 26 | — |
| Changchow d | | | 7 10 | | 10.59 | 12 00 | 12 44 | 14 32 | | | 18 57 | 20 46 | 2.41 |
| Wusih . d | | 7.20 | 8 22 | | 11 59 | 13 02 | 14 07 | 15 33 | | | 19 43 | 21 52 | 3.53 |
| Soochow d | | 8 21 | 9 39 | | 12 54 | 14 02 | 15 25 | 16 31 | | | 20.32 | | 4.50 |
| Nansiang d | 8.15 | 10 33 | 11 34 | 13 00 | 14.27 | 16 03 | 17.45 | 18 18 | 18.40 | 20 35 | — | | 6.26 |
| Shanghai North a | 8.42 | 11 00 | 12 05 | 13.30 | 14.55 | 16.30 | 18.20 | 18 45 | 19 13 | 21 05 | 22 00 | | 6.50 |

**Woosung Forts to Shanghai North—Up** (Branch Line) **Shanghai North to Woosung Forts—Down**

| | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Woosung Forts d | 6 45 | 8 15 | 9 40 | 11 05 | 12 30 | 13 55 | 15 20 | 16 45 | 18 10 | 19 35 | 21 00 | 22 25 | 23.50 | 1 15 | * |
| Kiangwan d | 7 10 | 8 40 | 10 05 | 11 31 | 12 55 | 14 20 | 15 46 | 17 10 | 18 35 | 20 00 | 21 25 | 22 50 | 0 15 | 1.40 | |
| Tientungan d | 7.16 | 8 46 | 10 11 | 11 37 | 13 01 | 14 26 | 15.52 | 17 16 | 18 41 | 20 06 | 21.31 | 22 56 | 0 21 | 1 46 | |
| Shanghai North a | 7 20 | 8 50 | 10 15 | 11 41 | 13 05 | 14 30 | 15 56 | 17 20 | 18.45 | 20.10 | 21.35 | 23.00 | 0.25 | 1 50 | |

| | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Shanghai North d | 6.00 | 7 30 | 9 00 | 10.25 | 11 50 | 13 15 | 14.40 | 16.05 | 17 30 | 18 55 | 20 20 | 21 45 | 23.10 | 0.35 | * |
| Tientungan d | 6 05 | 7 35 | 9 05 | 10 30 | 11 55 | 13 20 | 14.45 | 16 10 | 17 35 | 19 00 | 20 25 | 21 50 | 23.15 | 0.40 | |
| Kiangwan d | 6 12 | 7.42 | 9.12 | 10 37 | 12 02 | 13 27 | 14 52 | 16 17 | 17.42 | 19 07 | 20 32 | 21 57 | 23 22 | 0.47 | |
| Woosung Forts a | 6 35 | 8.06 | 9.35 | 11 00 | 12 25 | 13.50 | 15.15 | 16.40 | 18 05 | 19 30 | 20 55 | 22.20 | 23.45 | 1 10 | |

R. Restaurant Cars S. Sleeping Cars

* These additional trains run each Saturday and Sunday

## Shanghai-Hangchow-Ningpo Railway Abridged Time Table.

**Shanghai North to Zahkou—Down** (Main Line) **Zahkou to Shanghai North—Up**

| STATIONS | Local | Express R. | 2nd 3rd & 4th | Fast R. | Local | Local | Night Express R. |
|---|---|---|---|---|---|---|---|
| Shanghai North.....dep. | .. | 8.00 | 9.00 | 13.20 | 15.45 | .. | 19.15 |
| Jessfield.....dep. | .. | 8.15 | 9.16 | 13.36 | 16.05 | .. | 19.30 |
| Siccawei.....dep. | .. | 8.21 | 9.23 | 13.43 | 16.13 | .. | 19.36 |
| L'hwa Junction.....dep. | .. | 8.35 | 9.40 | 14.00 | 16.30 | .. | 19.50 |
| *Shanghai South .....dep.* | .. | *8.05* | *9.05* | *13.25* | *15.45* | *18.00* | *19.20* |
| *Lunghwa Junction .....arr.* | .. | *8.55* | *9.55* | *13.45* | *16.05* | *18.18* | *19.38* |
| Sungkiang.....dep. | .. | 9.14 | 10.50 | 14.46 | 17.42 | .. | 20.29 |
| Kashai.....dep. | .. | 10.01 | 11.57 | 15.43 | 18.47 | .. | 21.16 |
| Kashing.....dep. | 7.25 | 10.31 | 12.40 | 16.16 | —— | .. | 21.46 |
| Yehsah.....dep. | 8 19 | 11.02 | 13.32 | 16 56 | ---- | .. | 22.17 |
| Changan.....dep. | 9.25 | 11.36 | 14.23 | 17.35 | --- | .. | 22.51 |
| Hangchow.....dep. | 11.00 | 12.30 | 16.00 | 18.50 | ---- | .. | 23.45 |
| Zahkou.....arr. | 11.25 | 12.45 | 16.30 | 19.10 | ---- | .. | 24.00 |

| STATIONS | Local | Local | Express R. | Local | 2nd 3rd & 4th | Fast R. | Local | Night Express R. |
|---|---|---|---|---|---|---|---|---|
| Zahkou.....d. | .. | .. | 7.15 | .. | 8.40 | 13.20 | 15.35 | 18.00 |
| Hangchow.....d. | .. | .. | 7.40 | .. | 9.15 | 13.50 | 16.10 | 18.27 |
| Changan.....d. | .. | .. | 8.29 | .. | 10.45 | 15.00 | 17.45 | 19.14 |
| Yehzah.....d. | .. | .. | 9.00 | .. | 11.53 | 15.37 | 18.45 | 19.45 |
| Kashing.....d. | .. | 7.30 | 9.39 | .. | 12.50 | 16.24 | .. | 20.24 |
| Kashai.....d. | .. | 8.02 | 10.02 | .. | 13.26 | 16.52 | .. | 20.46 |
| Sungkiang.....d. | .. | 9.15 | 10.52 | .. | 14.42 | 17.49 | .. | 21.42 |
| *Lunghwa Junction....d.* | *8.37* | *10.37* | *11.37* | *13.57* | *16.07* | *18.42* | .. | *22.38* |
| *Shanghai South.....a.* | *8.55* | *10.55* | *11.55* | *14.15* | *16 25* | *19.00* | .. | *22.45* |
| L'hwa Junction....d. | .. | 10.34 | 11.32 | .. | 15.50 | 18.40 | .. | 22.22 |
| Siccawei.....d. | .. | 10.43 | 11.40 | .. | 15.59 | 18.49 | .. | 22.30 |
| Jessfield.....d. | .. | 10.51 | 11.46 | .. | 16.06 | 18.56 | .. | 22.36 |
| Shanghai North....a. | .. | 11.05 | 12.00 | .. | 16.20 | 19.10 | .. | 22.50 |

**Konzenchiao to Zahkou** (Kiangshoo Branch Line) **Zahkou to Konzenchiao**

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| Konsenchiao .... dep. | 7.05 | 9.10 | 11.35 | 13.45 | 16.05 | 17.30 | 22.55 | |
| Kenshangmun ... dep. | 7.20 | 9.25 | 11.50 | 14.06 | 16.20 | 17.45 | 23.10 | |
| Hangchow..... dep. | 7.37 | 9.37 | .. | 14.17 | .. | 17.57 | .. | |
| Zahkou ..... arr. | 7.55 | 9.55 | .. | 14.35 | .. | 18.15 | .. | |

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| Zahkou ..... dep. | 8.10 | 10.18 | .. | 15.03 | .. | 18.30 | .. | |
| Hangchow ..... dep. | 8.30 | 10.30 | 12.25 | 15.25 | 16.45 | 18.51 | 23.50 | |
| Kenshangmun . dep. | 8.42 | 10.47 | 12.37 | 15.37 | 16.57 | 19.02 | 0.02 | |
| Konsenchiao .. arr. | 8.55 | 11.00 | 12.50 | 15.50 | 17.10 | 19.51 | 0.15 | |

R. Restaurant Car.